

TO SEPT. 1920.]

[Nos. 133 to 135

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SACRED BOOKS
OF THE
HINDUS

TRANSLATED BY
VARIOUS SANSKRIT SCHOLARS

EDITED BY
Major B. D. Basu, I. M. S. (Retd.)

VOLUME XXV.

THE POSITIVE BACKGROUND
OF
HINDU SOCIOLOGY

BOOK II.—PART I.

POLITICAL

BY
BENOY KUMAR SARKAR

*Professor, National Council of Education, Bengal. Author of Chinese Religion
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in Exact Science, The Science of History and the
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The Positive Background of Hindu Sociology.

BOOK II.—POLITICAL.

CHAPTER I.

A PREFACE TO HINDU POLITICS.

SECTION I.

Sukra-niti in the Grammar of Social Science.

(a) *The Impact of Indology on the Science of Human Relationships.*

The science of man's psychical affinities, social complexes, and racial norms is undergoing a radical transformation. Empirical and statistical investigations, on the one hand, and intensive researches, on the other, have been tending to cry halt to such conclusions established in the '70's of the last century as that in primitive society the individual is wholly merged in his group, or that the fundamental *differentium* between modern and ancient cultures is what is implied by the distinction between contract and status. The statement of Lowie that "neither morphologically nor dynamically can social life be said to have progressed from a stage of savagery to a stage of enlightenment"¹ is indeed of epoch-making importance in the history of sociological inquiries. And this thesis is organically connected with the recent trend of anthropology which would discard the unilinear theory of evolution,—the theory that "an inherent law causes all societies to evolve the same customs in a uniform sequence,"—that has been in vogue since the publication, in 1877, of Morgan's *Ancient Society*, a book written when ethnography was just about to commence its scientific career.

Of an equally revolutionary character is the standpoint of Hermann Post's *Comparative Jurisprudence*. His method of approach is, as Myres points out in *The Influence of Anthropology on the Course of Political*

¹ *Primitive Society* (1920), p. 440.

² *Ibid*, pp. 48, 56-59, 432-435.

Science,³ "no longer that of a Maine or a McLennan, students of patriarchal or of matriarchal institutions by themselves. It is that of a spectator of human society as a whole." For, according to Post, in *Die Grundlagen des Rechts* (1881), it is useless to attempt to explain legal phenomena on the basis of the human *psyche*; the proper point of view is rather to "take the legal customs of all peoples of the earth, the residual outcome of living legal consciousness of humanity" for the foundations of an inquiry into the science of law. The need explorations and the need conclusions are already extensive enough, says Myres, to need a "new Montesquieu" to interpret the *Spirit of Laws*.

Hellenic archæology also is contributing to the unsettling of "settled facts" in social science. For generations, it had been an unquestionable generalization with classicists that law-making was the distinctive *forte* of the Roman genius and that the mind of Greece was poor in jurisprudence. But, says Barker,⁴ "archæological discoveries, and the work of scholars on these discoveries, have in the last fifty years recreated the subject of Greek law. The discovery, in 1884, of the laws of Gortyn, a Cretan law *** has helped to prove the reality of Greek law. Meanwhile, papyrology is adding steadily to our Knowledge, and French and German scholars ** are busy, with these data at their command, in rediscovering Greek jurisprudence." The old moorings of classical scholarship are so far being shaken that the opinion has even been hazarded that "Roman law, like Roman art and literature, was largely the gift of the Greeks. It is not merely a matter of the influence of the Stoic idea of a common law of nature on the Roman *jus nature* (that influence has probably been overrated by Sir Henry Maine), it is a matter of the debt of Rome, as early as the fifth century (B. C.) to the actual law of Greece."⁵

Not less Bolshevistic in radicalism than any of these forces in its influence on the study of man and on the interpretation of social evolution is the body of facts bearing on the historic culture-systems of Asia which has been acquiring an intelligible shape since about 1905. Investigations in Islamic achievements and in Far Eastern institutions are as yet too elementary, and have hardly touched the fringe of economics, political science, jurisprudence, or sociology. But the discoveries of Indology are already of far-reaching consequences. Their significance is nothing short of a thorough overhauling of the *corpus* of

³ Pp. 85-88 (ed. 1918.)

⁴ *Greek Political Theory: Plato and His Predecessors* (1918), pp. 295-296.

⁵ *Ibid loc. cit.*

scholarship in regard to the psychological relations between the East and the West. The revolutionary tendencies in the *risorigimiento* of contemporary social science will thus find their most radical feeders in the findings of Indian archæology.

The conventional estimate of Oriental politics in its most extreme form is furnished by Willoughby, in his *Political Theories of the Ancient World*.⁶ In Asia, says he, "neither in theory nor in practice, did the true idea of liberty appear.* * The ruler of the *Vedas* and of the *Institutes of Manu* is the autocratic monarch.* * * Short sentences and aphoristic sayings upon matters political occur in the early writings of the East, and some of these, as for example, a number of the reputed declarations of Mencius, the disciple of Confucius, are surprisingly liberal. But confused as these sayings are with religious and ethical dicta, and wholly unrelated to any general principles that have been previously established, they can scarcely be of value to the historian of political philosophies."

This sweeping generalization is but an American paraphrase of Hegel's metaphysical analysis of the "principle" of the Oriental world. "Since the external and the internal law and moral sense," writes Hegel in the *Philosophy of History*,⁷ "are not yet distinguished—still form an undivided unity—so also do religion and the state. The constitution generally is a theocracy, and the kingdom of God is to the same extent also a secular kingdom as the secular kingdom is also divine." And after detailed examination, he says that "China, Persia, Turkey—in fact, Asia generally is the scene of despotism, and, in a bad sense, of tyranny; but in these countries tyranny rouses men to resentment.* * But in India it is normal: for here there is no sense of personal independence with which a state of despotism could be compared, and which would raise revolt in the soul; nothing approaching even a resentful protest against it is left."⁸

The same verdict, although without a stiff Hegelian dialectic, is offered by Janet, in the preliminary chapter of his *Histoire de la science politique*.⁹ In India, as in all other countries of Asia, with the possible exception of China, ethics and politics are alleged to have never been separated from religion. And under the inspiration of Cousin's Fichtean or "romantic" appreciation of the *Gita* in the *Histoire generale de la philosophie*, Janet finds the Hindus to be the most mystical of all Asian

⁶ Pp. 16-17 (ed. 1903.)

⁷ P. 112 (Sibree's transl. N. Y. 1900.)

⁸ *Ibid*, p. 101.

⁹ Vol. I. (Edition of 1913), pp. 2-3, 20-27,

peoples, and, in fact, the fountain source of mysticism among the nations of the earth. Janet's final conclusion is that the orient in general and India in particular never realized the idea of the state, which appeared for the first time in Europe and on Greek soil.

These are a few representative reports about the Oriental "type" of civilization now stereotyped in philosophic consciousness throughout the world. The methods of scholars who deal in generalities of this sort in regard to Asia are quite the reverse of those by which the "Western type" has been established, e.g., in Zeller's *History of Greek Philosophy*, Atger's *L'histoire des doctrines du contrat social*, Brissaud's *History of French Public Law*, or Vinogradaff's *English Society in the Eleventh Century*. The logic of these "type"—philosophers is indeed comparable to that of mediæval schoolmen. They start with the postulate of the Occident's difference from and superiority to the Orient. And then they proceed deductively to speculate on the "spirit" of Asia and find in Asian institutions exactly what they seek and want to prove.

This speculative scholasticism of the modern academicians, with all its traditional *idolas*, could be demolished only when, instead of relying on dogmas and hypotheses, investigators came to grapple with facts and were prepared to open their eyes and see. Such a consummation was of course out of the question until Oriental archæology had advanced far enough to lay the foundations of a realistic or objective school of sociological research.

The objective school scored its greatest triumph in Indology when, in 1904, the Alexandrine exploits of Samudra-gupta (A. D. 330—375), the Napoleon of the Gupta House¹⁰, were rescued from the limbs of oblivion into which they had been cast for centuries. Almost at the same time, an accidental discovery of the *Artha-Sāstra* of Kauṭilya (c. B.C. 320), the Richelieu or Bismarck of the Maurya Empire, brought into the experience of academies the existence of a new universe of thought in the Hindu mind. But sociologists in the Indic field for the first time learned to open their eyes when, as students of public finance, they could realize, from R. Shamasastri's paper (1905) on "Chāṇakya's Land and Revenue Policy,"¹¹ that *les nerfs de la republique* (to use Bodin's expression) of at least one Hindu empire were not those of a feudal "no taxation" state, nor of a primitive "patrimonial" monarchy, as Maine's disciples would be inclined to presume, but might be aptly

¹⁰ V. Smith's *Early History of India*, first edition.

¹¹ *Indian Antiquary*, 1905.

likened to the centralized financial organization of the Romans or of the Bourbons.

Since then the body of evidences on the "positive" agencies in Oriental culture, especially on the Hindu achievements in constitution and "public law," has been growing cumulatively, in Radha Kumud Mookerji's analysis of the unities of India¹² the Ciceronian and the Dantesque theory of "universal monarchy" could be found to have its Asian analogue in what may be described as the conception of *pax Śārva-bhaumica* (peace of the world-empire). S. Krishnaswamy Aiyangar's description of the administrative institutions of the Chola Empire¹³ (c. 900-1300) has revealed not only that the Anglo-Norman Domesday Survey was duplicated in Southern India in 1086, but also that it had been anticipated there just a century before that date. The constitutional aspects of the Hindu coronation as well as several other elements in Hindu polity discussed by Kashiprasad Jayaswal¹⁴ and a prefatory intensive study of the *Artha-Sāstra* by Narendra Nath Law¹⁵ have likewise brought out certain features of the Oriental constitution which are usually taken to be distinctively Roman and Teutonic. *Pari passu*, the impact of the English translation of the *Artha-Sastra* (1906-10) and of *Sukra-nīti* (rendered widely accessible in 1914, through an English version) or the interpretation of ancient Indian *Weltan-schauung*, has increasingly led to the recognition of the fact that the economic and political theories of the Hindus and their secular philosophy in general have much that is in common with the alleged materialism and militarism of the West.

The Great War (1914-18) gave a fillip to investigations into ancient hindu nationalism in all its branches. The attention of scholars was drawn to the republic *gaṇas* of the *Mahābhārata* by Jayaswal,¹⁶ rural *Sva-rāj* (self-rule) engaged the labors of I. Matthai¹⁷, warfare was studied by P. I. Swami¹⁸, town-planning of the Tamil books was discussed by Venkataram Ayyar¹⁹, a detailed examination of some of the legal texts

¹² *The Fundamental Unity of India*, London, (1914) appeared first in the *Modern Review* (April, 1913), on the basis of a previous article in the *Dawn and the Dawn Society's Magazine* (1909.)

¹³ *Ancient India* (Madras, 1911.)

¹⁴ "Rituals at Hindu Coronation," and "Introduction to Hindu Polity," in the *Mod. Rev.* (1912-13.)

¹⁵ *Studies in Ancient Hindu Polity*, Vol. I. London, (1914).

¹⁶ *Journal of the Bihar and Orissa Research Society*, 1915.

¹⁷ *Village Government in British India* (London, 1915).

¹⁸ *The Indian Review*, 1915.

¹⁹ *Town-Planning in Ancient Deccan* (Madras 1916), with a preface by Patrick Geddes, the inspirer of the investigation.

was undertaken by N. N. Law²⁰ from the constitutional angle, the theory of compact arrested the notice of K. Kumaraswamy²¹, and a comprehensive, although fragmentary, report of all the departments of civic life was attempted by Pramatha Nath Banerjea;²² while Ramesh Chandra Majumdar's monograph furnished an account of India's attainments in the field of organization.²³ In addition, interest came to be attracted to two new divisions of political inquiry. In international, law L. T. Visvanath²⁴ broke the ice, and Law's articles²⁵ opened up the Sanskrit literature on economic thought as well as on arts and crafts.

The research activity of the war period has led in due course to the publication of three systematic treatises of substantial importance. These are by Mukerji²⁶, D. R. Bhandarkar²⁷, and Prafulla Chandra Basu.²⁸ In 1919, while international politics were being profoundly influenced by the fever heat of Indian "rebellion," to use the official expression, the student of world-culture was treated to the Hindu institutions of local self-Government, craft guilds and guild merchants, *samgha* (conciliar) form of democratic administration, and the Vedic duplicates of the Homeric states. By these investigations, comparative politics has been enriched with several new terms in "public law," such for instance as *samāha*, *śreni*, *nigama*, *gaṇa*, *pāga*, etc., almost the replicas of the Hellenic *polis*, the mediæval *universitas*, and other "group-persons" of Western life. Furthermore, a synoptic view of Hindu economic theory held forth by Balkrishna²⁹ tended to bring ancient Indian speculation within easy reach of old Europe's contributions in another field.

Nobody had yet furnished any account of what may be compared to the general assembly or the national parliament of the people. That "missing link" in the chain of India's political institutions Jayaswal

²⁰ Twenty-one articles in the *Mod. Rev.* (1916-18); Also "Ancient Hindu Coronation and Allied Ceremonials," in the *Ind. Ant.* (1919).

²¹ *The Hindustan Review* (May-June, 1918).

²² *Public Administration in Ancient India* (London, 1917).

²³ *Corporate Life in Ancient India* (Calcutta, 1918).

²⁴ *The Mod. Rev.* (April-November, 1918). The subject has subsequently been treated from a different standpoint in Law's *Inter-State Relations in Ancient India*, Calcutta (1920).

²⁵ *Vartta* or Hindu Economics in the *Ind. Ant.* (1918-19).

²⁶ *Local Government in Ancient India* (Oxford, 1919).

²⁷ *Ancient History of India* (B. C. 650-325) (Calcutta, 1919).

²⁸ *Indo-Aryan Polity during the Period of the Rig Veda* (1919).

²⁹ "Economics in Ancient India," in the *Indian Journal of Economics* (November, 1919).

claims to have unearthed in the *jânapada*.³⁰ The evidences, however, are not convincing. But, all the same, the "republican tradition" in India political consciousness, of which Mukandi Lal³¹ speaks, does not need any special pleading. To-day, in 1920, it is one of the A. B. C.'s of Hindu politics³².

Some of the shortcomings which characterize a great deal of these recent magazine articles and books must not be overlooked³³. A rigorous criticism of the categories of political complexes, whether from the psychological or from the historical point of view, has not yet made its appearance. The distinction between the institution of *Realpolitik* and the "pious wishes" or ideals of theorizers, has virtually been neglected or ignored. And, finally, the employment of "polarized" Western terminology for the newly unearthed Oriental phenomena, without specification as to which *periods* and *phases* of the institution or theory are being discussed, is a considerable handicap to the advance of scientific inquiry. In this regard, the tendency in Asia to sum up the "West" of all the ages in single shibboleths or catchwords, is only a natural nemesis to the corresponding fallacy of Europe and America consisting in the

³⁰ *Vide* the *Mod. Rev.* (Feb. 1920) for Jayaswal's article which is announced as a chapter in his forthcoming book entitled (*Hindu Polity*). See Rama Prasad Chanda's objections in the March number and Jayaswal's reply in the April. The claims are eminently open to question.

³¹ *Mod. Rev.*, January, 1920.

³² In addition to the translation of the *Sukra-niti* (1914), which, however, needs thorough revision, the present author's contributions to the subject may be listed here: (1) "Democratic Ideals and Republican Institutions in India," in the *American Political Science Review* (Nov. 1918), which is utilized as section 4 in the present volume. (2) "Hindu Political Philosophy," in the *Political Science Quarterly* (Dec., 1918), (3) "Hindu Theory of International Relations," in the *A. P. S. R.* (Aug. 1919), (4) "The *Gaṇas* or Republics of Ancient India" in the *Mod. Rev.* (March, 1920), (5) "The Theory of Property, Law and Social Order in Hindu Political Philosophy," in the *International Journal of Ethics* (April, 1920), (6) Craft Guilds and Guild Merchants in Hindu Commonwealths" (in Italian), in the *Giornale degli Economisti* (Rome), (7) "An Ecclesiastical Polity of Old Asia," in the *Vedic Magazine*, (8) "Law-Making as a Political Institution of the Hindus," in the *Indian Political Quarterly*, (9) "The Theory of the Constitution in Hindu Political Philosophy." (in French, in the *Revue des sciences politiques* (Paris), (10) "The War-Office of Hindu Empires," in the *Mod. Rev.* (11) "The Public Finance of Hindu Empires," in the *Annals of the American Academy of Political and Social Science* (Philadelphia). No. 9 is appearing in English, in the *Sir Asutosh Mookerjee Jubilee Volumes* (Calcutta University, 1920). Nos. 3—11 form chapters or sections in the author's forthcoming *Political Institutions and Theories of the Hindus*.

³³ A suggestive, although by no means quite acceptable, criticism of the recent researches in Hindu politics has been offered by Prof. Jadu Nath Sarkar, in an article on "Oriental Monarchies" in the *Mod. Rev.* (March, 1917).

attempt to discover the entire "East" in isolated phrases or items of civic experience.³⁴

Notwithstanding these drawbacks, the volume of the new material is momentous enough to shift the centre of gravity in all discussions of comparative culture-history. Social science, in trying to adjust itself to the new conditions of the intellectual *milieu* has now been forced to face a historic reality, *viz.*, the parallelism and pragmatic identity between the Eastern and the Western life-series. A complete transformation in its outlook and methodology is the inevitable consequence³⁵; for even the very titles of some of the problems discussed by objective Indology are as far removed from Max Müller's *India: What can It Teach us?* nay, from the message of Maine's *Early History of Institutions and Village Communities* as Einstein's theory of relativity from Plato's physics or Jagadis Chunder Bose's *Plant Response and Comparative Electro-Physiology* from the vegetal consciousness assumed in *Upanisadic* intuition. In the present instance, the change of sociological perspective would really be as fundamental as that recently induced in another sphere by Dalvaille's *Essai sur l'histoire de l'idée de progrès* (1910) which seeks to expose and rectify, age by age, the fallacy of Leroux and Comte, who maintained that the idea of progress was utterly unknown to the ancients and that it is an absolutely modern conception.

The new influence that Indianists are exerting on the general science of political evolution and speculation is due principally to the novel character of the data on which their inquiries are based. The objective Indology of our times is reared on foundations which were either unknown or unexploited by the philosophical culture-historians of worldwide celebrity. These new evidences are twofold: (1) archæological and (2) literary.

Probably the most important feature of current antiquarian research is the value attached to the legal, economic and constitutional interpretation of those copper-plate inscriptions, coins, and clay seals, the deciphering of which has been placed beyond palæographic doubt. Among these epigraphic and numismatic documents, a first-hand familiarity with the edicts of Asoka³⁶ (B. C. 257-240) in the Prakrit language, the

³⁴ A standardization of the human values, epoch by epoch, can be effected only when there is a really adequate and intensive understanding of the historic culture systems of the West by the East and of those of the East by the West.

³⁵ Vide the present author's "Futurism of young Asia," in the *Int. Jour Ethics* (July, 1918).

³⁶ Edited by A. Cunningham (*Corpus Inscriptionum Indicarum* Series, (Calcutta, 1877). See the English translations in V. Smith's *Asok* (Oxford).

coins of the *nigamas*³⁷ or commercial corporations (c. B. C. 250) and of the Malava, Yaudheya and other republican *ganas*³⁸ (c. B. C. 100-A.D. 200), the Prakrit inscriptions in the Nasik caves³⁹ (c. 100-300), the Sanskrit Inscriptions of Rudradâmana⁴⁰ (A. D. 150) at Girnar, of Samudragupta⁴¹ (360) at Allahabad, and of Dharmapâla⁴² (c. 850) at Khalimpur, the Tamil inscriptions⁴³ of Râjarâja (985-1018) Râjendra (1018-35) and Kulottunga I (1070-1118), and the Sinhalese inscriptions of Ceylon⁴⁴ (c. 1100) is already counted in the irreducible minimum of equipment for the handling of Hindu administrative questions. This circumstance is tending to endow all discussion on ancient Indian law (private or public) with a highly technical character which is well-calculated to scare away the dilettantes. But, of course, the "soul" of India was discovered and dissected by Hegel, Cousin, Max Muller, Maine, and Janet long before Indian archæology had filtered out of the coterie of specialists in Oriental lore and been "laicized" for the philosophers, sociologists and historians. And the spiritualitarian interpreters of Hindu paintings, sculptures, poetry, drama, and music are still clinging to the metaphysical notions that had been started in the nineteenth century by "subjective" Indologists.

The literary evidences, on the strength of which the *status quo* of conventional Indology is being challenged are not, however, all absolutely new. In most instances, only the angle of approach has been changed with regard to the well-established sources of information. This is specially true of the *Manu Sâmhita* (c. A. D. 150) and of the *Dharma sâtras* or *Dharma-śâstras*, law books of Gautama (c. 550 B. C.), Baudhâya (c. B. C. 450), Âpastamba (c. B. C. 400), Vasiṣṭha (c. B. C. 150), Viṣṇu (c. A. D. 300), Nârada (c. 500), and Bṛhaspati (c. 650), the volumes translated in the *Sacred Books of the East Series*.

It cannot by any means be ignored that the "private law" of ancient

³⁷ A. Cunningham's *Coins of Ancient India* (London).

³⁸ Rakhal Das Banerji's *Prachina* (Ancient Coins), in *Bengali* (Calcutta, 1915), E. I. Rapson's *Indian Coin's* (Strassburg, 1897).

³⁹ *Epigraphia Indica*, VIII.

⁴⁰ *Ibid*, VIII, Luder's *List of Brahmi inscriptions* (which forms an appendix to *Ep. Ind. X.*)

⁴¹ I. F. Fleet's *Gupta Inscriptions* (C. I. I. Series, Calcutta, 1888)

⁴² Akshaya Kumar Maitra's *Ganda-Eekha-Mala* (inscriptions of the Bengali Emperors) (Rajshahi, 1912), edited with Sanskrit text and Bengali transl. *Ep. Ind.* IV.

⁴³ Hultzsch's *South India Inscriptions*, *Madras Epigraphy*, Annual Reports (1898-1910-11, 1916).

⁴⁴ *Epigraphia Zeylanica*.

India has been fortunate enough to attract a host of modern interpreters since Colebrooke's English rendering of Viṣṇuśvara's *Mitākṣarā* (c. 1050) and Jīmūtavāhana's *Dāyabhāga* (c. 1150) in *Two Treatises on the Hindu Law of Inheritance*. Gibelin's *Etudes sur le droit civil des Hindous* (1846) is a comparative study of the civil law of the Indo-European races. Maine, in his *Early History of Institutions*, took special care to point out that Hindu law of property in regard to women's rights was much more radical than even the English Married Women's Property Act of 1886.⁴⁵ Jolly's *Recht und sitte* (A 896) is a comprehensive exposition of the contents of the entire legal literature. There are, besides, quite a few monographs like those of T. N. Mitra on *Law Relating to Hindu Widow* (1881), of Kishori Lal Sarkar's on *Rules of Interpretation in Hindu Law*, of Gooroo Das Banerjee on *Hindu Law of Marriage and Stridhana* (1896), and so forth.

All this investigation, as might naturally be expected, is, however, purely legal. With the exception of Colebrooke's paper⁴⁶ on *Hindu Courts of Justice* (1828), no attempt appears ever to have been made to wring political institutions and theories out of the literary material on legal customs and usages. That is the task to which the new Indology has addressed itself. And, in connection with this, several treatises like Yājñavalkya's *Smṛiti*⁴⁷ (c. A. D. 350), and its latter-day commentaries, e.g., Mitra Miśa's *Vīra-mitrodaya*⁴⁸ and Chandesvara's *Vivāda-ratnākara*,⁴⁹ have risen into importance on account of the light they throw on public bodies or corporations, e.g., the *Samāhas*, *Gaṇas*, *Śreṇis*.

So far as public law is concerned, it has to be observed that, for all practical purposes, *Manu Saṃhita* is the only book in terms of which India was interpreted by the political philosophers and sociologists of the last century. Even the politics of the *Mahābhārata*, although almost exhaustively studied by Hopkins⁵⁰ as early as 1889, failed to produce any impression on the scholastic tradition. And up till now the statement of Manu that the King is "a god in human form" has been the stock-in-trade of every Orientalist who has tried to envisage Hindu political attainments.

⁴⁵ For the position of woman in English law previous to the reform of 1870, vide Boutmy's *English people* (N. Y. 1904), pp. 215-216.

⁴⁶ Vide *Transactions of the Royal Asiatic Society*, 1828, Vol. II.

⁴⁷ Edited and Translated by V. N. Mandlik, in his *Hindu Law* (Bombay, 1880).

⁴⁸ Ed. by I. Vidyasagara, Calcutta.

⁴⁹ Text in the *Bibliotheca Indica Series* (Calcutta, 1887).

⁵⁰ "Social and Military Position of the Ruling caste in Ancient India as represented by the Sanskrit Epic" in the *Journal of the American Oriental Society*, 1889.

But objective Indology has entered the field at a time when there is a conscious transvaluation of values going on in the history of European political speculation. Even the theocratic absolutism of the "divinity of monarchy" doctrine has found an original interpreter in Figgis, whose *Divine Right of Kings* (1914) has served to explain away most of the stigma associated with it. Those who are interested in the logical apparatus of interpretation cannot fail to notice in (A. L. and R. W.) Carlyle's *Mediæval Political Theory in the West* (1903-15) that it has been demonstrating how, in spite of the institutional environment of the most despotic state-systems, the stoic *Rishis* (or "wise men"), the upholders of Imperial traditions and laws, and the Catholic priests, monks and pedagogues, as well as the commentators of their commentators, can be so manipulated as to yield the theories of popular sovereignty, freedom, and justice, how, in short, it is quite possible to trace Rousseau, back to Cicero. No better methodology could be adopted by Indologists while investigating the theories of the state adumbrated in the *Manu* and the *Mahâbhârata*. And it is, of course, the results of this machinery of criticism that the general science of human relationships has been of late steadily acquiring from the Hindu sphere.

The next class of literature, which, although not utilized for the first time, has been receiving fresh interpretation from novel standpoints, is the Pali texts on which Rhys Davids founded his *Buddhist India* (1903). The oldest of these documents are the *Jatakas* ⁵¹ or Buddhist Birth-stories (c. B. C. 600) which had been extensively used by Fick for *Die Sociale Gliederung im nordostlichen Indien zu Buddhas Zeit* (1897). Besides, the *Mahâ-vagga* and the *Chûllo-vagga*, as parts of the *Vinaya* ⁵² (discipline) literature are being handled as statute-books on ecclesiastical government.

The entire Vedic literature of antiquity, including the *Aitareya Brâhmana*, ⁵³ *Śatapatha Brâhmana*, ⁵⁴ *Taittirîya Samhitâ*, ⁵⁵ and other treatises of the same class, is likewise being ransacked from the secular points of view. The exploitation of the *Atharvaveda* and even of the *Rîg Veda* ⁵⁶ for the purposes of constitutional and economic historiography, partly on the lines of Zimmer's *Alt-Indisches Leben* (1879), may be regarded as an achievement of the materialistic school of sociology in Young India. Altogether we have here some solid contribution to the study of primitive culture.

⁵¹ Eng. by E. B. Cowell (Cambridge, 1895-1907).

⁵² Transl. in the *S. B. E.*

⁵³ *Bib. Ind. Series*, Calcutta, 1895-1906.

⁵⁴ Transl. in the *S. B. E.*

⁵⁵ *Bib. Ind.* 1872.

The only sources that Indology has been tapping for the first time and that are therefore absolutely new, consist of the class of literature known as *Nīti-śāstra* or by the more generic name of *Artha-śāstra* which Kauṭilya's book ⁵⁶ (c. B. C. 320) has made famous. Kāmandaka (c. A. D. 350), ⁵⁷ as the summarizer of Kauṭilya, is similarly a new figure. Bhoja's *Yukti-Kalpataru* ⁵⁸ (c. 900), Somadeva's *Nīti-vākyāmṛita* ⁵⁹ (c. 950), and Vaisampāyana's *Nīti-prakāśikā* ⁶⁰ are also getting into prominence. *Śukra-nīti*, as a new Indic document of this category, is another such find, the impact of which on the comparative study of political norms calls for a total reconstruction of the science of cultural affinities.

(b) *The Autonomy of Political Śāstra in the Hindu Scala Intellectūs.*

De Wulf, in his *History of Mediæval Philosophy*,⁶¹ has drawn prominent attention to the fact that one word "scholasticism" does not explain all the centuries of the so-called Middle Ages. The intellectual history, i.e., the science and learning of mediæval Europe, has to be understood in terms of more than one standpoint and of more than one conclusion.

Now that scholars are thus getting used to the diversity of philosophical systems in European evolution, they might be inclined to reject the long-prevalent monistic interpretation of Asian thought-history and admit the pluralism or multiplicity of its schools and doctrines. Nor would they have to admit this new principle in regard to the Orient on any *a priori* or deductive grounds alone; for the objective eye-openers are ready at hand.

One fundamental assumption on which the Bastille of conventional Indology was erected is that Hindus had no political literature worthy the name, and that, if any, it was all part and parcel of mythological or religious (and moral or ethical) speculation. The situation that scholarship forces on our notice to-day is the exact antipodes of the current canon. For, in the first place, we find that the mass of *śāstra* or *vidyā* (science) on politics (and economics) in India was immense, and, secondly, that this entire body of political thinking and writing was absolutely independent of any other *śāstras* or *vidyās* recognized in the different systems of Hindu *Scala intellectūs*.

⁵⁶. Sans. Text ed. by R. Sham Sastri (Mysore, 1919); Eng. transl. by the same (Mysore, 1915).

⁵⁷. Text in the *Bib. Ind.* (1884); Eng. transl. by M. N. Dutt (Calcutta, 1896).

⁵⁸. Text ed. by I. C. Sastri (Calcutta, 1917).

⁵⁹. Text in the *Kāvya-Mālā Series* (Bombay).

⁶⁰. Text ed. by Oppert for the Madras Government (1882).

⁶¹. Transl. from the French by P. Coffey (London, 1909), p. 105.

On the basis of positive evidence, no period of the history of the Indian *intelligentsya* can be described as having been exclusively governed by any "dominant" science. Even the "sacred books" of the Hindus never enjoyed greater hegemony among them than the "primary philosophy or theology" of Aristotle among the Greeks, or the *philosophia prima* or *sapience* of Bacon's *Intellectual Globe* among the Englishmen, or the science of *morals* among the French which, according to Comte's *System of Positive Polity*, represents the "synthetical terminus of the whole scientific construction." The position of political *vidyā* was, consequently, that of *Selbständigkeit* or unconditioned autonomy in a scheme of philosophic *sva-rāj* (self-rule) which admits one and all the *vidyās* or *śāstras* to an equal right of self-assertion. The classification of the sciences by Hindus leaves no doubt on this point.

That classification, interesting as its history would be as a record of cultural dynamics in the Hindu world, need not be discussed here historically. And in regard to the absolute scientific or philosophical merits of any of the systems devised by Hindus, it were good to be oriented to Karl Pearson's judgment in his *Grammar of Science* to the effect that not only Bacon's attempt was a failure, but also that even Comte and Spencer were unscientific. While, therefore, investigating the *vidyās* of the pre-Cartesian world, whether in Asia or in Europe, the least unsatisfying procedure would be not to inquire into "classification" at all (in the logical sense), but into the descriptive enumeration of more or less colligational mnemonics as the names of the different branches of learning. For we are concerned here with the epochs during which the "seven liberal arts" were divided into a more popular *trivium* (consisting of grammar, rhetoric and dialectic) and the rather "scientific" or high brow, *i.e.*, less popular *quadrivium* (comprising music, arithmetic, geometry, and astronomy), when, indeed, one individual, *e.g.*, a St. Isidore of Seville², could, if he so desired, master not only all these *śāstras*, but everything else that the world knew at the time, nay, when Aristotle might be as great an authority on light, heat and the solar system as on the conceptions of the good, the true, and the beautiful.

A Hindu encyclopædia of the type of which the Spanish saint was a master, recognizes thirty-two *vidyās* and sixty-four *kalās*, as we learn from the schedule in *Śukra-nīti*.³ We are told, however, that the *vidyās* and *kalās* are really "infinite and cannot be enumerated." *Vidyā* is

¹. *Ibid*, pp. 135-137.

². E. Brehant's *An Encyclopedist of the Dark Age, Isidore of Seville* (No. 4, 1912).

³. Chapter IV, Sec. iii. lines 45-128.

defined to be "that which can be said," and *kalā* that which can be "done even by the dumb."

Kalā would thus correspond to the third great division of philosophy in the Aristotelian system, viz., "productive philosophy or art," but this only verbally, for both Aristotle's "necessary" art (e.g., medicine) and "fine" art (e.g., poetry) would be treated as *vidyā* in the Hindu system, while the real industrial arts, designated by the term *kalā*, would fall outside of the Aristotelian "intellectual globe." Theoretically considered, therefore, it is safe to take *vidyā* as a synonym for science, and *kalā* as a synonym for art. The categories are to be understood as differentiating the "theoretical" branch of human learning from the "practical" or "applied." We cannot detect here the distinction between Spencer's "abstract" and "concrete" science.

There is, besides, no attempt here at indicating some sort of a "hierarchy" of the *vidyās* as to the kind of interdependence they bear to each other, like the one with which we are familiar in Comte's system. They are presented each in its own dignity; not a word is said even in regard to the majesty of the four *Vedas*. Rather we understand that medicine, archery or warfare, music and the *Tantras* are considered to be so important as to be described as *Upavedas* or Semi-Vedic. Phonetics, grammar, rituals, etymology, astronomy (including mathematics) and prosody are indispensable to the study of the *Vedas* and hence known, as usually, to be their six limbs (*Vedāṅgas*). But the alleged Vedic association of these sciences does not make them theological, nor impart to them a specifically sacerdotal character.

The catalogue is, moreover, "rationalistic" or liberal enough to speak of three non-Vedic *vidyās* in the same breath with *Smṛiti*. That science which investigates the social orders (the castes) and their duties, in accordance with the teachings of the *Vedas*, is *Smṛiti*. But of equal esteem as a *vidyā* is the lore of the *nāstikas* (sceptics), e.g., those who "advocate the predominance of reason, the origin of all things from nature (and not from God), nay, who doubt the very validity of the *Vedas*." The second non-Vedic *vidyā* is the learning of the Yavanas (foreigners generally), who, while recognizing God as the invisible creator of the universe, "base their conceptions of virtue and vice on other authorities than the *Vedas* and the *Smṛiti*," and who "believe, besides, that these latter embody but a heterodox body of doctrines." And the third *vidyā*, whose validity rests on a principle not in any way connected with the *Vedas*, is *deśādi-dharma*, or "custom," which, "whether it traces its

origin to the Vedic fountains or not, is normally observed by the peoples of different countries and races."

The process of infiltration by which non-Vedic, *i.e.*, unorthodox and extra-national or alien norms and *mores* penetrated the original or indigenous system of scientific and philosophical values in India, easily reminds one of the influence of non-Roman and extra-Italian customs and usages on the development of the *jus naturale* and *jus gentium* which took final shape among the imperial lawyers under stoic *milieu*. The eclectic toleration, which the scale of thirty-two *vidyās* exhibits, furnishes an intellectual testimony to the impact of cultural intermixture and mingling of races that was fostered by the *pax sârva-bhaumica* of successful empire-builders on the minds responsible for the building up of thought-systems.

Among the other *vidyās* the list includes the "six schools" of philosophy, two divisions of historical learning, of which *purâṇa* is the more cosmic and comprehensive branch, while *itihâsa* devotes itself exclusively to the deeds of rulers, *Kāvya*¹ which should be interpreted as something different from what Aristotle has to say in his *De Poetica*, but which may be taken to comprehend what Bacon understands by the "imaginative" division of his tripartite classification of the sciences, and *alamkāra*, which, although generally known to be "Rhetoric," is not at all equivalent to oratory, the subject of Aristotle's *Ars Rhetorica*, but, essentially the knowledge of parallelism and contrast, of similes or metaphors and so forth. *Daisiki* or folk-language (dialect, vernacular or *patois*) as well as *Avasarokti* or the use of right word at the right moment, which may indifferently be regarded as an important element in style or diction or in social elegance or diplomatic intercourse, are also two of the *Vidyās*.

Architecture, sculpture, painting, irrigation, gardening, etc., are all dealt with in the *Vidyâ*, entitled *Silpaśâstra*. Sexological facts and phenomena, such as are to be found in Ellis' *Man and Woman*, are studied in *Kâma-sâstra*, which investigates the "marks" (*Lakṣaṇas*) of males and females, both physiognomically and psychoanalytically, to use convenient modern terms. And the *Vidyâ* which discusses the phenomena of the state, *i.e.*, politics, on the one hand, as well as the means of livelihood, *i.e.*, economic problems, on the other, is known as *Artha-sâstra*.

We need not enumerate the sixtyfour arts, but we can already form an idea as to the contents of the pluralistic Universe in the Hindu

¹. For Aristotle, see the *Encyclopædia Britannica* (eleventh edition) and De Wulf. For Bacon, see Karl Pearson's *Grammar of Science* (last chapter).

psychical processes. It is clear also that the *Vidyās* are not jumbled up into one homogeneous, mass but are differentiated into distinct entities each with its own scope. In Śukra's catalogue, one name, *Artha-śāstra*, suffices for both economics and politics. There are other systems of the classification of the *Vidyās* in which economics is disentangled from politics and is described by a separate name, viz., *Varṭta*; ¹ but that topic need not detain us here, although we shall see it presently in connection with Kauṭilya's list of sciences.

According to Kauṭilya, the grand divisions of human learning are four; but if we include his subdivisions, the list will have sixteen *Vidyās*. Kauṭilya's *Anvikṣiki* division comprises two of the six philosophies of Śukra's schedule (viz., *Sāmkhya* and *Yoga*) as well as a third, *Lokāyata* which is most probably identical with the *Nāstika* doctrine of the foregoing Court. The second grand division in the Kauṭilyan list, the *trayi* (lit. *trio*) stands not only for the "three" Vedas, the *Sama*, *Rik* and *Yajus*, but also for the *Atharva Veda* and *Itihāsa Veda*, together with the six *Vedāṅgas*. *Varṭta*, which treats of agriculture, cattle-raising and exchange, constitutes the third grand division of science; while the fourth, which addresses itself to the *nīti* or laws of *daṇḍa*, i.e., punishment or sanction; is called *daṇḍa-nīti*. The last two Kauṭilyan *Vidyās* would thus be equivalent to the Śukran *Artha-śāstra*.

The autonomy of political *Vidyā* in the Hindu scale of science and learning becomes further apparent in an interesting account of the different systems of classification of the sciences, with which Kauṭilya begins his treatise.

We are told (Book I, Ch. ii) that, according to Manu, there are only three sciences, the *trayi*, *Varṭta*, and *daṇḍa-nīti*, for *Anvikṣiki* is but a sub-division of or auxiliary to the Vedic *trio*. Another philosopher, Brihaspati, is reported to have reduced the divisions to two, viz., *Varṭta* and *daṇḍa-nīti*. According to him, even the Vedic literature in its entirety is of no primary importance at all, for it is merely a *Samāvaraṇa* (shall we call it a cloak, screen, or camouflage?) for men who "know the ways of the world" (*loka-yātrā-vidah*). This non-theological conception of science which would have delighted the arche-type of Comte's soul, reaches its climax in *Uśanas* (or Śukra), who, says Kauṭilya, is ultra-monistic enough to advocate the recognition of only one science to which all other sciences are subordinate. And that dominant or "architectome" science is politics.

¹. Vide Law's articles on *Varṭta* in the *Ind. Ant.*, *Supra*, for a lengthy discussion.

². Book I, Chs. ii, iii, iv.

The classification of sciences as such does not interest us here. We have to notice only how in Hindu conception political learning as a theoretical branch of knowledge acquired an independent status, and that, howsoever varied the principles of division and interdependence of *vidyâ* may have been, the sovereignty of *danḍa-nīti* or *artha-śāstra* or *nīti-śāstra* in its own sphere was not challenged either by any metaphysical school of philosophy or even by the theological *trayī*, nay, that the secularization of political inquiry was carried to the *nth* term, so far so that even the *trayī* and the "philosophies" and what not, could be conceived in theory at any rate as but dependencies and feeders of the empire of *nīti-śāstra*. And this report comes down to us from the fourth century B. C.

It is quite appropriate in this connection to refer to that most fundamental item in all branches of Hindu learning, *viz.*, the conception of *chatur-varga* or *quadrivium*. This *corpus* of four consists of *dharma* (law and tradition), *artha* (secular interests), *Kāma* (enjoyment) and *mokṣa* (salvation). The sciences deal with each of these categories; and, accordingly, the most basic classification of the *vidyās* in Hindu terminology would be the *quadrivium* of *dharma-śāstra*, *artha-śāstra*, *kāma-śāstra* and *mokṣa-śāstra*. From the standpoint of "formal" logic, this four-fold grouping of sciences bears a technical analogy with the Aristotelian triad of philosophies, *viz.*, the speculative, the practical (or political or human), and the productive. Or, we may also visualize Bacon's "grammar" in which the sciences are three, according as they have their origin in memory, imagination or reason, the three faculties of the understanding. In any case, it has to be noticed once more that political science occupies one of the basic positions in the fabric of learning and is an autonomous member of the richly diversified republic of *vidyās*.

There is a universal feature in regard to every Hindu science which has misled all modern inquirers. This relates to the beginnings of science and art. The origin of all *vidyās* and *kalds* is traditionally described as being divine. But it is curious that such naive statements in regard to the "minervan" birth of sciences should have been taken seriously in Indic scholarship so as to attach a theocratic value to the branches of learning.

Readers of the *Mahābhārata* (*Śāntiparva*, Ch. LXIX) are aware that *danḍa-nīti* sprang from the very lips of Brahmā, the highest god of the universe, and that, subsequently, it was abridged, and abridged and

abridged, until it was brought down to a humanly political science manageable shape. Brahmâ, "the self-created Lord," is the father of political science, according to the *Śukra-nīti* (Ch. 1) also. The same origin of *artha-sâstra* from Brahmâ is, likewise, referred to in Vâtsyâyana's *Kâma Sûtra* (Ch. 1). In all these origin-stories, we read of compilers and summarizers like Śiva Indra, Brihaspati, Vasiṣṭha and others.

Those who from such legends are inclined to interpret Hindu politics as "sacred" in any theological sense have only to remember the part played by Apollo and the Delphic oracle in the "revealed" laws and morals of Greece¹ or the Solonian tradition derived from the priests, which is recorded by Plato in his *Critias* as to how, "nine thousand years ago," the golden age of Athens had been initiated by the gods. Nor is it less relevant for scholars who remain yet to be disabused of the notion of a psychological antithesis between the West and the East to remember that even with Aristotle,² God is the first postulate of thought, the "first cause" in motion, and that the thesis of his treatise on *Metaphysica* is "God as the motive motor of the world." The Brahmaic parent-hood of political science is, therefore, no less Hellenic than Hindu, and the study of "laws" is in Greece not more secular or non-religious than it is in India.³

SECTION 2.

THE METHODOLOGY OF COMPARATIVE POLITICS.

(a) Scientific Standardization.

"The first writer to treat history as the proper object of a special science," says Flint, in the *History of the Philosophy of History*,¹ "was Mohammed Ibn Khaldoun of Tunis (1332-1406). Whether on this account he is to be regarded or not as the founder of the science of history, is a question as to which there may be difference of opinion; but no candid reader of the *Mokaddemah*" ("Prolegomena" to *Universal History*) can

¹ Barker, pp. 42-43; Jowett's *Dialogues of Plato*, Vol. III (Critics), pp. 529, 534.

² De Wulf, p. 40.

³ For some new light on the subject, see Upendra Nath Ghoshal's paper on 'The Brahminical Conception of the Science of Politics', in the Sir A. T. Mookerjee Jubilee Commemoration Volumes (Calcutta, 1920).

¹ P. 158.

² For Ibn Khaldoun's political philosophy see Section III of his *Mokaddemah* which is entitled *Prolegomenes, Historiques* in M. G. de Slane's French translation from the original Arabic. The complete translation forms Vols. XIX, Pt. 1, XX, Pt. 1 and XXI, Pt. 1 of *Notices at Extraits des Manuscrits de la Bibliothèque Imperiale* (Paris, 1862, 1865, 1868), Section III is to be found in Vols. XIX and XX. See a recent study by the Egyptian scholar, T. Hussein, on *Philosophic Sociale de Ibn Khaldoun*, Paris, 1917)

fail to admit that his claim to the honor of being the founder of the science of history is more valid than that of any other author previous to Vico."

A clear statement like this is of importance in scientific research, not because it implies a frank recognition of Moslem achievements by non-Moslem authorities, but chiefly owing to the fact that, for a long time to come, all Oriental phenomena have need to be appraised and interpreted in terms of Occidental developments. Scientifically speaking, it is well nigh impossible to estimate the exact worth of Aryabhaṭṭa the Hindu, or All Beruni the Moslem, without reference to the attainments of Archimedes, Newton and Einstein. In the study of any Asian topic, whether Chinese, Indian, or Saracen, such reference to the approximate parallels or contrasts in the western world is an absolute necessity, not only in the interest of comparative sociology, but also for the simple reason that in contemporary scholarship considerably more is known as established in regard to the evolution of the Occident than about the Orient. Since the data of Asian culture-complexes have been so late in entering the arena of science, it is but natural that in handling them the method of investigators should be to proceed from the known, *i.e.*, the Western, to the unknown, in other words, to examine the newly explored material from Asia in the light of the standards and values recognized in the study of Europe-American facts.

But it is curious to note how zealously the terms and categories of Western experience are guarded in Eur-America against appropriation by scholars dealing with Eastern phenomena. Thus, the *Philosophical Theory of the State*¹ by Bosanquet begins with the naive assumption that "the simple device by which an orderly vote is taken, and the minority acquiesce in the will of the majority as if it had been their own, is found for the first time as an every day method of discussion in Greek political life." Nor are such statements the premises of Hegelian idealists and metaphysicians alone. Even Hobhouse, notwithstanding his monumental ethnographic investigations, *e.g.*, in *Morals in Evolution*, and although he is an uncompromising opponent² of Bosanquet's metaphysical method, takes care to define the "state" in such a manner as to pronounce that "the earliest form of the state known to us is the city state of ancient Greece."³

And yet from Morgan and Maine downwards, anybody who has interested himself in the history of institutions, knows that not only

¹ (London, 1899) pp. 4-5.

² L. T. Hobhouse's *Metaphysical Theory of the State* (London, 1913), pp. 102-113.

³ *Social Evolution and Political Theory* (N. 4. 1911), p. 141

the Iroquois and the Hopi of aboriginal America, but the Samoans and Maoris of Polynesia as well as the Zulus and Thongas of Africa, exhibit features many of which, constitutionally and juridically, belong to the same level of culture, in spite of prejudices to the contrary, as those of the so-called higher, developed or civilized Societies. Some of the cultural values evolved among the alleged "primitive" races are, objectively and behavioristically speaking, on a par with what is implied by the republics and confederacies of Greece, the imperialism and jurisprudence of Rome, the legal status of woman in feudal and even modern West, private ownership in land tenure, aristocratic stratification of society, highly differentiated bureaucratic administration, Napoleonic militarism, hierarchy of judicial tribunals, the law of "crimes" in addition to that of "torts," and what not.¹ But it appears that, with the exception of a few sociologists, for instance, the German Socialist, Oppenheimer, who in his *State*² has laid the anthropological investigations of Ratzel under contribution, the significance of the study of "savage" life has left hardly any impression on orthodox political speculation.

The conviction is, however, gaining momentum in the academic world that the logic of social science needs a transference of emphasis from the terms of nomenclature and taxonomy to the things-in-themselves (without their Kantian association, however). The long-standing dichotomies, namely, the polarities of "primitive" and "civilized," and of "Eastern" and "Western" are superannuated, and must have to be called off from the realm of science. What should replace these conventional classifications is the idea of the continuity and developmental identity of human experience, variegated although with a well diversified multiplicity of phases or facets. It is the story of these phases or facets with which social science has to concern itself, and one of its tasks is to bring them all, no matter from when or where, down to a common denominator by processes of "intensive" and statistical analysis. Thus considered, a republic is a republic, albeit it may have been founded by

¹ See Lowie (pp. 186-206, 338-426), especially the chapters on property, government and justice. The statement of Hobhouse in his *Morals in Evolution*, Vol. 1. (London, 1906), p. 32, bears quotation in this connection. "The comparative study of ethics," says he, "which is apt in its earlier stages to impress the student with a bewildering sense of the diversity of moral judgments, ends rather by impressing him with a more fundamental and far-reaching uniformity."

² (Translated from the German by I. G. Gitterman, Indianapolis, 1914). See especially pages 180-202.

the Hopi-Indians of the pre-colonial New World, or the Yaudheya *gana* of ancient India. Contemporary scholarship can ill afford to consider such republican polities as improbable out of the city states of Greece or the nation-states of the modern world. The chief problem of science is rather to find out exactly which traits or landmarks of the European political evolution are indicated by these extra-European phenomena.

When from the field of institutions we come to theories or ideas, the problem of parallelization or of referring the new and unknown thoughts and concepts to the known standards, assumes, of course, a peculiar difficulty of its own. We need not go into details regarding the varied linguistic apparatus of thought and the diverse psychical contents or emotional values of identical terms used by different peoples. It is enough to remember Pollock's opinion in the *History of the Science of Politics* that even Plato never got to the point of having a theory of the state at all. On the other hand, we have Carlyle spinning out theories of law, justice and sovereignty from the writings of the mediæval compilers of customs and the ecclesiastical tutors of princes. For, as one may take it, philosophy has its beginnings in the spirit of interrogation, in the act of questioning.

"Men may long be governed by a system of law or by a particular political organization, before they ask themselves what are the principles of political or social relations represented by their legal systems. Some time or other they ask the question, and then political theory begins."¹ Such being the origins of political philosophy, the Hindu doctrine, say of *Samaya* or compact, deserves analysis not only in its splendid isolation as a phenomenon of the East, but in the perspective of all those western ideas bearing on the subject which have been put together in Atger's monograph. And so on with regard to other theories of Oriental political thought.

(b) *The Peers and Cognates of Śukra.*

In the domain of Hindu thought, no document has yet been discovered, the scope of which may be compared to that of Aristotle's *Constitution of Athens* (B. C. 328-325). This treatise, which came to light only about thirty years ago, seeks, in the first place, to give a sketch of the constitutional history of Athens down to the restoration of democracy in B. C. 403 (Chs. i-xli), and, in the second place, to offer a detailed analysis of the machinery of the constitution between 328 and 325 B. C.

¹ Carlyle, Vol. II, p. 6.

¹ Text edited by F. G. Kengon (London, 1891); Eng. trans. by T. I. Dymes (London, 1891). Vide I. E. Sandy's *Aristotle's Constitution of Athens* (London, 1893), p. 1. IX.

(Chs. xlii-lxiii). None of the *śāstras* on *artha-nīti*, or *daṇḍa-nīti* are primers of constitutional history or citizen's handbooks like this Greek brochure. Nor are they the Oriental counterparts of European statute books, such as Justinian's (A. D. 526-565) *Digest, Institutes, and Code*¹ or the compilations of feudal² customs and usages, like the *Sachsen-Spiegel* ("Mirror of the Saxons"), *De Legibus et consuetudinibus Angliæ* by the English Bracton, and *coutumes de Beauvoisis* by the French Beaumanoir, all belonging to the twelfth and thirteenth centuries."

The distinction that is brought out here is of fundamental importance, and throws a flood of light on the kind of data available for the reconstruction of the history of India. By a judicious application of historical criticism one may undoubtedly wring some *institutional* material out of the mass of *nīti-śāstras* (and *dhamra-śāstras*). But an indiscriminate use of the sociological evidences embodied in these books can lead only to the confusion of juristic ideals, constitutional theories, or political philosophies with the actual laws of the land, civic practices, or administrative machineries. It is because of the careless tendency to attach an institutional value to every statement in the *śāstras* that Indology has ever been a prolific breeding-ground of *idolas*, both foreign and Indian.

Without generalizing, however, about all *nīti* or *artha* works, so far at any rate as *Śukra-nīti* is concerned, it is quite relevant to refer to the position of John of Salisbury's (—1182) *Policraticus*³ ("The Statesman's Book"), which is considered to be the "first attempt to look apart from surrounding conditions and to produce a coherent system which should aspire to the character of a philosophy of politics," in the history of European political literature. We have no hint, says Poole in his *Illustration of the History of Mediæval Thought*⁴, from the beginning to the end of the *Policraticus*, that "encyclopædia of the cultivated thought of the middle of the twelfth century," that there was a struggle going on between Frederick I and Pope Hadrian and that it was just becoming ripe for open hostilities. There is nothing to indicate that John himself through his attachment to the ecclesiastical cause of Beckett has been alienated from the king of England. His treatment, besides, bears no reference to contemporary forms of government, his examples being those of the old Testament or of the ancient Roman Empire. There is not a trace even of the terminology of feudalism."

¹ H. O. Taylor's *Mediæval Mind* (London, 1911) Vol. II, pp. 239-248.

² Carlyle's *Mediæval Political Theory in the West*, Vol. III, pp. 35-42, 80-85.

³ See the account of the *Policraticus* in I. M. Littlejohn's *Political Theory of the Schoolmen and Grotius* (N. Y. 1896), pp. 42-47.

⁴ (London, 1884), pp. 218, 233, 235, 237.

Not only in such negative and formal features of book-making, but, as we shall see later on, in some of the most basic doctrines, the *Policraticus* and *Śukranīti* exhibit a family likeness. The reconciliation by John of the doctrine of "tyrannicide" with that of the king as "an image of the divine majesty on earth" will at once strike the observer as a contribution of *nīti* philosophy, while the simile of the "limbs" of the state in the English ecclesiastic's thought will be easily recognized as quite akin to the products of the Hindu brain.

But we are not concerned for the present with the doctrinal contents of these writings. It is necessary only to note that the *Policraticus* is one of a multitude of treatises in Latin and in the vernaculars of Europe which deal with the same problems as *Śukranīti*. Thus, in the introduction to *De Regimine Principum*¹ ("The Rule of Princes"), Aquinas (1215-1274), the greatest of the mediaevals, says that his design is to "set forth the fountain of kingly power and the calling of a king according to Scripture; the doctrines of the philosophers and the examples of much praised princes." Indeed, in European speculation, the tradition on *rāja-dharma* or duties of kings, such as Bishop Jonas of Orleans (ninth century) taught to King Pippin of Aquitaine, is of extensive magnitude. *Nīti*-writers in mediaeval Europe were legion, who went to the *Detneronomy* (xvii. 14-20) for their Biblical inspiration. It is the same pedagogy of the royal household that produced works like Machiavelli's *Prince* (1513) in Italy and Elyot's *Governour* (1531)² in England.

In Europe, however, during the Middle Ages, as Bluntschli clearly points out in his *Geschichte der neueren statswissenschaft*,³ men "thought theologically and expressed themselves theologically," to use Poole's words. Augustine's *De Civitate Dei* ("The City of God"), composed during the first quarter of the fifth century (413-426 A. D.), subordinated all things to the Church and depreciated secular life. It ignored or failed worthily to appreciate art, literature, science, philosophy, and ethnic religion, law, politics, and, in a word, almost every phase of ordinary human life and culture. According to Pope Hildebrand (1078-1085), civil power was the invention of worldly men, ignorant of God and

¹ Littlejohn, p. 87.

² Croft's edition (London, 1883). See Vol. I. pp. lxiii-lxvi, for a list of European *nītiśāstras* on the duties of kingship.

³ (Munich, 1881), pp. 3-7; O. F. Gierke's *Political Theories of the Middle Ages* (Maitland's transl. Cambridge, 1900), pp. 105, 106, etc.

⁴ R. Flint's *History of the Philosophy of History* (N. Y., 1894), pp. 157-158.

prompted by the devil.¹ And, as Aquinas² understood it in the thirteenth century, the spiritual destiny of man required a divine law over and above natural or human law. In order, therefore, that the spiritual might be kept separate from the earthly, the office of this kingdom was committed not to earthly kings, but to the priests, and, above all, to the chief priest, the Pope of Rome. In the scheme of such a "hierarchical doctrine of the state," we can easily conceive with De Greef in his *Le Transformisme Social*³ how the "equality" that mediæval Christianity preached should have been "extramundane, i.e., neither political nor economic," and how to the suffering humanity it could not afford anything but "counsels of resignation and of faith in a posthumous economic justice."

These theocratic conceptions which have led Figgis to remark in his essays on political theory, *from Gerson to Grotius*,⁴ that in the Middle Ages there were not two societies but "only two departments of the same society," viz., the Church and the State, are absolutely unknown to Śukra's tradition. Consequently, the problems such as those of Byzantinism (i.e., the doctrine of the Church as subordinate to the State), of Gelasianism (i.e., the doctrine of the Church being co-ordinate with and equal to the State) and of Gregorianism (i.e., the doctrine of the State being subordinate to the Church), or of the *imperium* and *sacerdotum* being in relations of antithesis, with which Bartolus⁵ (1314-1357), the "prince of jurists," had to reckon in the fourteenth century while establishing his theory of the importance of civil law, constitute a fundamental basis of differentiation between the Hindu lecturers on the duties of kingship and their Western peers, the ecclesiastical philosophers and scholastics.

It is from this standpoint that Śukra is a colleague of the progressors of Bologna University⁶ who developed the study of Roman jurisprudence since Irnerius' times (eleventh century). And, as a matter of course, his system has scarcely any affinity with that of Aquinas, to whom not king but Pope, is God's viceroy, and, according to whom, eternal bliss is the chief aim of man.⁷ In order to understand *Śukranîti* at its proper

¹, ² R. L. Poole, pp. 229-231, 241; A. Frank's *Reformatures et Publicistes de l'Europe* (Paris, 1864), Vol. I, pp. 63-65, 68-69.

³ (Paris, 1895), pp. 75, 83, 97.

⁴ Cambridge, 1907.

⁵ C. N. S. Woolf's *Bartolus* (Cambridge, 1913) pp. 14, 60. In regard to Pope Gelasius as the propounder of the theory of secular government, see Carlyle, Vol. II, 198.

⁶ Woolf, p. 105.

⁷ Bluntschli's *Geschichte der neueren etc.*, ch. I Littlejohn, pp. 104-107.

worth, we should therefore have to be oriented to those strands in European theory which evaluate secular government as at least as divine as the ecclesiastical. And these are to be sought, in spite of the many differences in social and intellectual setting, in Father Gelasius (sixth cent.), Canon Law¹ (twelfth cent.), Dante (1265-1321), and Marsiglio of Padua (1270-1342).²

But it is especially in Machiavelli (1469-1527), the last of the mediaevals and the first of the moderns,³ the reformer of the logic of political science and the inaugurator or rather restorer of the Aristotelian conception of man as a political animal in opposition to that of the stoic and patriotic conception of the "unnatural" or conventional character of government, the spiritual father of the philosophy of Rousseau's *contract social* (I, 8) and the only satisfactory interpreter of man's secular interests and motives,⁴ that we shall find the most approximate parallel or "agnate" of Śukra and his school. Like Aquinas, indeed, Machiavelli sought in the *Prince*⁵ (Ch. xv) to set forth "what ought to be the conduct and bearing of a prince in relation to his subjects and friends." But in his absolutely non-religious approach to the questions of political authority, he is a complete breach with the "Christian" tradition.

The thoroughly humanistic standpoint which inspires his statement in the dedication, to the effect that "in order to understand the people a man should be a prince, and to have a clear notion of princes he should be of the people," is one that makes the Italian philosopher a kin as much of the political thinkers of the modern world as of the Hindu writers on *nīti* and the pre-Christian or Greek theorizers on *polis*. It is chiefly in this sense that readers of *Śukranīti* will pronounce it to be Machiavellian, viz., that its method of treatment is untheocratic, secular, "modern" or "pagan."

Unfortunately, however, the name of Machiavelli stands for anything that is impious and brutish in human estimation. But, apart from the genuine scientific importance of his contributions to thought which has been receiving wide recognition in recent times, in spite of the prudery of moralists, it should be worth one's while to go deeply into his tenets and

¹ Carlyle, Vol. II, 94.

² I. Sullivan's "Marsiglio of Padua and William of Ockam," in the *American Historical Review* (1897); Bluntschli, *loc. cit.*; Janet's *Histoire*, etc. Vol. I, pp. 457, 461.

³ W. A. Dunning's *History of Political Theories*, Vol. I, p. 291; Janet, Vol. I, pp. 491-495, 520, 530.

⁴ J. N. Figgis' *From Gerson*, p. 99-101. For the relations between Machiavelli and Rousseau, see Janet, *loc. cit.* 496;

Bluntschli, pp. 15-17.

⁵ N. H. Thomson's transl. (Oxford, 1913).

teachings. "To slaughter fellow-citizens, to betray friends, to be devoid of honor, pity and religion cannot be counted as merits," says he,¹ for these are merits that may lead to power, but confer no glory." Again, "it is essential for a prince to be on a friendly footing with his people,"² since otherwise he will have no resource in adversity." Such also are the maxims with which the students of the *nîti* philosophy are familiar. Nay, the arguments by which Hindu theorists justify the resistance to tyranny, regicide, the expulsion of the Venas and the Nahuṣas are verily the same as those by which Machiavelli explains the overthrow of Tarquin the proud. For, as we read in his *Discourses on the first decade of Titus Livius*,³ perhaps the more valuable, although less known, of his writings, he wants the princes to "learn that from the hour they first violate those laws, customs and usages under which men have lived for a great while, they begin to weaken the foundations of their authority." (Bk. III, ch. V.)

As a course of lectures on *Râja-dharma*, *Śukra Nîti*, while agreeing in a general way with the *Polieraticus* and *De Regimine Principum*, will thus be found to have more in common with the treatises of the founder of modern political philosophy. An Analysis of the table of topics in his *Discourses*, the monograph on republic and in his booklet on monarchy, the *Prince*, cannot fail to indicate that in the lines of inquiry the Florentine author is not much at variance with the Hindu theorists from Kauṭilya downwards. And, in so far as Machiavelli may be conceded to be shaking hands with Plato and Aristotle on the score of general spirit and methodology, the Indian philosophers of kingship, political authority, justice, etc., are essentially Greek, alike in their materialistic viewpoint and in positive outlook.

At any rate, there should be no difficulty in adopting Plato into the family of the Hindu *Nîti* theorists, for not only in the distinctively pro-monarchistic message of his *Politicus* or *Statesman* (B. C. 360), but also in the ideal of the "philosopher king" and in the doctrine of "virtue" as a correlate of the social status set forth in his dialogue on justice, the *Republic* (B. C. 386), the student of comparative politics will detect hardly any psychological variation from the main theme of Śukra. The manner also in which Plato goes into trivial details of administration, e.g., the minute police regulations about water supply, etc., in his *Laws* (B.C. 347),⁴

¹ *The Prince*, ch. VIII.

² *Ibid.*, ch. IX.

³ Transl. by Thomson (London, 1883).

⁴ Burnet's *Greek Philosophy* (London, 1914) Pt. I, p. 303.

is not less characteristic of the *parisats* or academies of political philosophy which guided the thoughts of his Indian contemporaries, *viz.*, the precursors and senior compatriots of Kauṭilya.

We must not overlook the very important consideration that, as philosophical complexes, even the writers on ideal commonwealths ¹ *e.g.*, Moore's *Utopia* (1515), Bacon's *New Atlantis* (1629), Campanella's *City of the Sun* (c. 1635) and Harrington's *Oceana* (1656), have as little in common, doctrinally speaking, with the Greek masterpeice, the *Politics* of Aristotle, as with the political philosophy of the modern world which was born in the "utilitarianism" of the English school, but which may be said to have made its formal *debut* with the French doctrine of the "rights of man," the origins of which, however, have been traced to the United States in Scherger's *Evolution of Modern Liberty*.² And, of course, writers on kingship, like Jonas, John of Salisbury, Aquinas and other ecclesiastics, or like Machiavelli, Bodin, Hobbes, and other seculars, are, philosophically, the farthest removed as much from the theorists of constitutional liberties, representative government, democratic federation, referendum, and municipalization as from the investigators into the problems of the City state, with its fixed number of free men and the morphology of states classified as monarchy, aristocracy, and polity.

For instance, the very idea of self-government is absent in Gregoire's *De Republica*,³ a sixteenth century work. "The task of the state is to be effected by a bureaucracy; the fundamental notions of James, still more those of Cecil or Bacon are very similar to those of Gregoire. Nay, the whole development of governmental activity, the labours of Colbert and Pombal, even those of Frederick II and Joseph II, are a commentary on this work." Likewise, as is well known, Martin Luther (1483-1546), although he was the greatest champion of individual liberty (cf. his *Liberty of Christian Man*), was the advocate of political absolutism and divine right or passive obedience, and thus, according to Figgis, a philosophical progenitor of Louis XIV with his postulate of *l'etat c'est moi*.

Notwithstanding these formidable divergences between the past and the present, recent interpretations are strenuously at work in order to trace the modern theories not only "back to Aristotle," but also in the adumbrations of the schoolmen and church fathers. The moderns (since

¹ H. Morley's *Ideal Commonwealths* (N. Y. 1885).

² (London, 1904). Vide C. E. Merriam's *History of the Theory of Sovereignty since Rousseau* (N. Y. 1900), pp. 86-88, 217-224.

³ From Gerson, etc., pp. 129, 71.

Rousseau and Burke)¹ are Hellenic, so we understand, in so far as they have repudiated the political indifferentism of the stoic *Riṣis* and of the churchmen of the Middle Ages and re-established the theory of the State as a natural and necessary institution. On the other hand, the moderns are mediæval, too. For, says Carlyle, although the absence of an automatically working administrative machinery, a legal instrument of government is what differentiates the mediæval from the modern world, yet the mediævals were by no means inferior to the moderns in their sense of reverence for law.² Further, speaking about the scholastics, Littlejohn³ says that they were philosophers who "writing under circumstances never paralleled in human evolution, produced ideas that are not yet exhausted. Taking in theology and philosophy from Augustine to Hugo Grotius, we may say that there is nothing which has been produced in modern times that has not found its archetype in these writings."

In the hands of such an eclectic school of philosophical criticism, Śūkra will find among his peers not only theocrats like the writers of the *Policraticus* and the *Rule of Princes*, but also the secularists like the authors of the *Prince*, and *Les six livres delarepublique*.⁴ And in a catalogue of the "cognates" of *Śukranīti*, we shall have to list not only Plato's *Republic*, and Aristotle's *Politics*, but also the dissertations of theorists from Paine, Rousseau and Bentham to Treitschke,⁵ Bosanquet,⁶ and Croce.⁷ For, once we are prepared to abandon "the search for all-embracing laws of evolution on the model of Morgan's or Schurtz's schemes," as Lowie⁸ suggests that culture historians should, it will not be a difficult achievement to discover in the *nīti-sāstras* of India, not only the rudimentary elements, but some-

¹ Vol. III, pp. 3, 6, 30-31; Bosanquet's *Philosophical Theory of the State* (London, 1899), pp. 11-14.

² pp. 3-5.

³ Bodin's *Six Bookes of a commonweale* (Eng. trans by R. Knolles, London, 1606).

⁴ *Politics* (trans. from the German, London, 1916), Vol. I, pp. 60-80.

⁵ In Bosanquet's doctrine of "position" (vocation, place or function) as in Bradley's "My Station and its Duties," we have the Hindu "categorical imperative" of *svadharma*, vide *Phil. Theor. State*, pp. 204-207, and the present author's "Theory of Property, Law, and Social Order in Hindu Political Philosophy, in the *Int. Jour. Ethics* (April, 1920). Cf. also Bosanquet's *Some Suggestions in Ethics* (London, 1918), pp. 43-44, 64-65.

⁶ *The philosophy of G. Vico* (trans. from the Italian, by R. G. Collingwood, London, (1913), pp. 239-240; *Philosophy of the Practical: Economic and Ethic* (trans. from the Ital. by D. Ainslie, London, 1913), pp. 282, 286, 289; H. W. Carr's *Philosophy of Benedetto Croce* (London, 1917), pp. 126-134. Cf. the doctrine of *Niṣkāma Karma* in the *Gītā*.

⁷ pp. 326-337.

times also the well-developed forms of the leading political ideals conceived by the human brain in the course of its heterogeneous development. And these similarities or identities will have to be explained very often by what is known among ethnologists, as the "law of convergence," *viz.*, the possibility of like results from unlike antecedents.

SECTION 3.

FUNDAMENTALS OF NĪTI.

Philosophy.

(a) *The Laws of Sovereignty.*

(*Danda Nīti*).

Political science belongs to the genus of *śāstras* on *artha* or secular well-being. It is, however, usually designated by two terms. The term *danda-nīti* (*i.e.*, *nīti* of *danda*) is employed as a rule by every writer on the subject. But certain authors, *e.g.*, Kāmandaka, Śukra, and some of the compilers of the *Purāṇas* prefer to use *nīti śāstra* (*i.e.*, *śāstra* of *nīti*) for the same branch of learning. The treatises of Kāmandaka and Śukra are known, as a matter of fact, as *Nīti-sāra* (*i.e.*, essence or compendium of *Nīti*),—suggesting by the very title that the authors have only endeavored to set forth the essentials of *nīti* philosophy and have not cared to dwell at length on any of its particular topics.

What, now, is this *nīti*? *Nīti* is so called, says Śukra (I, lines 313-314), because it leads, governs or guides. Such, indeed, is its etymological significance. It is thus indifferently equivalent to education, morals, or laws, inasmuch as each of these terms has a "normative" learning. *Nītiśāstra* is that science which deals with the norms or *mores* of human beings, the "proprieties" of life, to use the Confucian category,—the right modes of action, individual and social. Such a comprehensive scope imparts to this *vidyā* an encyclopaedic, all-inclusive character. In Kāmandaka, and specially in Śukra, we have accordingly not only the pedagogies of Plato, *e.g.*, his '*Statesman*,' but also his ethics, the monograph on justice, *viz.*, the *Republic*, as well as his treatise on political administration, the *Laws*, if, indeed, all the three are not to be regarded as equally pedagogical.

While embarking on the study of *nīti* philosophy, we are, therefore, preparing for an investigation of the "whole duty of man." But this whole duty of man, nay, the entire human personality, acquires a significance, only in so far as it is conditioned or motivated by *danda*. For, says Kautilya,

(I, i, 4) *loka-yātrā* (i.e., the course of the world, or maintenance of human welfare) has its basis in *danḍa*. Now, *danḍa* is punishment or coercion and restraint, the equivalent of "sanction," the kernel of sovereignty. As it is by *danḍa* that the body politic is kept entire, the duties (*dharma*) of one's own "station" (*sva-dharma*) being observed by each of its members (I, i, 3), *nīti* philosophy has as its special function, the investigation of *danḍa*. Whether it is discussing the value of public opinion or the importance of councillors in a state or the functions of the ideal King, the *rājarṣi* of Kauṭilya (I, vii), it has its centre of interest in the problem of sovereignty, that principle in social relations which renders the *saptāṅga* or seven-limbed organism possible. The force which furnishes the only possibility of man as a "moral" animal, as a being with "duties," is, consequently, the most fundamental feature in the *nīti* discussions. And, as such, it serves to circumscribe the scope of the *śāstra* to a considerable extent. As the science of norms and as the science of sanctions, the *śāstra* of *nīti* is then finally the science of the "regulative" principles or laws of "sovereignty."

Nīti philosophy does not make politics and ethics identical as Plato's dialogues did. Its standpoint is rather that of Aristotle, according to whom politics, although a branch of ethics, was yet higher than ethics¹. An investigation of sovereignty, in its bearing on duties or of duties in so far as they have their roots in sovereignty, can by no means get rid of this logical anomaly. And, in a sense, this anomaly seems to be an "inseparable accident" in the history of philosophical speculation. Every political philosopher, from the very nature of the case, is bound to be a "propagandist," a moralist, a teacher of the right courses of action, a lecturer on the duties of life. Even the political system of the "un-moral" Machiavelli is nothing short of a code of morals. From Aristotle to Aquinas, from Aquinas to Spinoza, and from Spinoza to Kant, as Lilly² remarks, politics and ethics have been closely related. And in recent philosophical systems, "the lectures on the *Principles of Political Obligation*," says Nettleship in his memoir on T. H. Green,³ "form in some degree an illustrative commentary on the *Prolegomena to Ethics*." In treatises like *Śukra nīti*, it is not surprising, therefore, that no matter what may be the terminology, we are again and again confronted with the canons of right and wrong, with

¹ Barker, pp. 293, 306.

² Dunning, I. 51-54.

³ *First Principles in Politics* (London, 1907), pp. vi, vii.

⁴ *Works of T. H. Green* (ed. by R. L. Nettleship, London, 1891, Vol. III, p. cxlix).

the "ideals" in public life, with the *ethical quo warranto* of authority, with the moral grounds of *samāha* (corporate) activity, and with the problems of justice.

THE PSYCHOLOGICAL PREMISES OF HINDU POLITICS.

Danḍa being by nature a moral phenomenon, the *vidyā* that handles it, is essentially a Crocean "philosophy of the practical." And this ethics of organized life has naturally its groundwork in certain psychological premises. These may be regarded as the logical postulates of *nīti-śāstra*.

The *raison d'être* of *danḍa-nīti* lies in its assumption of the supreme moral fact of the universe, *viz.*, the autonomy of man,—his freedom as a "person" in regard to the command over the "world." *Ātmāyattau vridhhi-vināśau*, says Chāṇakya (*alias* Kauṭilya) in one of his *sūtras*¹ (aphorisms). It is "on one's own self" that expansion or advance (*vridhhi*) and destruction (*vināśa*) depend. In other words, "world-empire or downfall," the slogan of the late German Empire, is an alternative to which man has access even from his very birth. It is his privilege to choose which he wills.

This responsibility of man as a "purposive" agent, as a "creative" being, who can remake or unmake himself, is the soul of the doctrine of *pauruṣa* * or *puruṣa-kāra* (*i.e.*, maleness or manliness). It establishes the freedom of will, volition or human energy, in its diverse forms to grapple with the innumerable world forces. One of the commonplace analogies, the like of which we see frequently in Plato,² says that the lamp with its wick and oil can be protected from the wind. What makes this possible? *Pauruṣa*, *i.e.*, the quality of being a man, replies Śukra. Similarly, it is possible to discard the evil of life, or otherwise get the better of them. Even the surest decrees of "fate" can be undone by intelligence and might. In the controversy between *pauruṣa* and *daiva* (chance, accident, or fate) the verdict is hereby given in favour of the former. Indeed, it is only the weaklings, who are unable to exercise energy, that are prone to admitting the claims of *daiva*, whereas *pauruṣa* is the ideal of the wise and the praiseworthy. Able men do not wait for the decree of fate, but build their destiny on the strength of their own efforts. *Pauruṣa* is thus the *appamāda*, *i.e.*, earnestness, self-exertion and energism of the Śākya *Dhammapada*, and stands in the same relation to the objective world as genius to the "force of circumstances,"³ in Green's

¹ No. 85 in *Chāṇakya-Sutrāṇi* (Shama Śāstry's Text of Kauṭilya's *Arthśāstra*, p. 436.)

² *Śukra-nīti*, I, lines 73-74, 95-98, 105-108.

³ Barker, p. 119.

⁴ See the essay in *Works*, Vol. III.

ethical system. "Man who man would be must build an empire of himself,—in it must be supreme,"—this Shelleyan message is the teaching of the *Śukranīti*, advocate as it is of the cultivation of *pauruṣa* (the quality of being a *puruṣa*, i.e., a male).

In this discussion of the question of volition *versus* fate, we touch in reality a corollary to the more fundamental concept in Hindu philosophical milieu, viz., that bearing on the relation between *puruṣa* and *prakṛiti* ¹. *Prakṛiti* is mother nature, the female element in the universe, the *ying* principle of the Chinese classics. And *puruṣa* is the male, the active force, the *yang* element, the infilling or fecundating agency. It is the very nature of *puruṣa* to make use of the *prakṛiti*, to impregnate the environment, and create the objective manifestations of the world, or rather re-create it. This it does exactly in the manner in which the "matter" of Aristotle is inspired by his "form." In inculcating the cult of the *puruṣa* (male), or rather exploiting this "floating" category for the purposes of *daṇḍa-nīti*, Śukra is propagating among mankind the doctrine of "the real man," the hero, the *avatāra* or the superman.

The concept of *pauruṣa* is none other than the idea underlying Xenophon's apotheosis of human energy, or Napoleonic manliness in the *cyropaedia*. Resembling "ideal Cyrus" or the philosopher king, Śukra's ruler who is *pauruṣa* personified, is the "cause of time." ² In contrast with the common notion of the age making the man, we are taught that it is man (in the present instance, the king, or the state for that matter) who creates the age.

This creative will and intelligence of man is what makes *nīti-sāstra* possible in a logical scheme of science. For it implies that there is something in the very human nature which urges towards conquest or expansion, which calls for progress, improvement, perfection. Man, even if he begins as a hypothetical caliban, the mate of the ape and the tiger, does not have to rest their *pauruṣa*, the innate maleness of humanity, pushes him beyond himself. He is an eminently teachable or perfectible being. Without such postulates about the inherent tendencies in man, the theorist could hardly adumbrate a philosophy of *daṇḍa*. For, that instrument, like other instruments, can only be an "efficient" cause, but "matter" itself must be pliable, i.e., man must be something that can be worked upon and transformed. And this notion is contributed by the concept of *pauruṣa*, with its emphasis on *l'elan de la vie*.

¹ Brajendra Nath Seal's *Positive Sciences of the Ancient Hindus* (London, 1915), pp. 2, 6.

² Śukra, I, lines 48-44, 119-120.

Hence it is that *Vinaya* or education which is so important a category in Buddhist philosophy, occupies also a conspicuous place as a postulate in *nīti* thought. It is the knowledge of the *śāstra* that arms man with the weapons to combat the evil and promote the good; as we understand from *Śukra* (I, lines 117-118.) Not every evil is irremediable, therefore remedies are to be sought in the first instance, and, failing them, one will have to submit to the inevitable (175-177). But the prime necessity in human life is the wisdom, the capacity to discriminate between the harmful and the beneficial (178-180). And this is the result of mastery over the senses (181). One should, therefore, bring to bay, by the hook of knowledge, the elephant of the "senses" which tends to run to and fro in a destructive manner in the vast forest of enjoyable things (193-194). And, since it is the *manas*, the mind-organ, which "covetous of the meat of joys," sends forth the five sense-organs in all directions, is ultimately responsible for the *Vṛiddhi* or *Vināśa*, the chief content of the moral pedagogies consists in the discipline or control of the mind (195-196):

Not that the political philosopher would enunciate here a stoic⁷ apathy to all things mundane or the ascetic and almost monastic tendencies in Plato's⁸ teachings, in thus advocating the restraint of the passions.⁹ It is only the over-indulgence that is to be avoided. Passions become vices only beyond a certain limit, but otherwise they are quite legitimate. Thus indulgence in gambling, women and drinking, when undue, produces disasters; but within due limits, it gives rise to wealth, progeny and intelligence,—quite a happy consummation (215-216). *Śukra* is liberal enough to prescribe a normal use of wine in "medical doses;" for wine drunk according to some measure, is efficacious in increasing the talent and clarifying the intelligence,—it develops patience and steadies the mind" (230-231). The moral all along the line is thus one of the Socratic "golden mean."

The world postulated in *Nīti* philosophy is not the super-sensual or extra-mundane universe of Capuchin monks and nuns. It is a sphere in which men and women get married, build homes, acquire wealth and cultivate heroism, and, above all, or rather in and through all activities or forms of *pauṛuṣa*, are in quest of happiness. Now, as in Plato and in Aristotle, and, in fact, in the teachings of their *guru* Socrates, in *nītiśāstra* also, the one essential condition of happiness is virtue. *Sukhasyāmūlam dharmah*, says an aphorism (No. I) of Chāṇakya. Happiness has its

⁷ Atger, pp. 27-28; Tanet, Vol. I, 246; Carlyle, I, 21; III. 4.

⁸ Zeller's *Plato*, pp. 438, etc.

⁹ *Sukra*, I, 201-237. See the other shortcomings to be avoided, in lines 277-292.

root in virtue. Thus commences the first link in a chain of categories which is quite valuable as furnishing a key to the ethical and political systems of the Hindu world. And we have as the second premise in this sorites the *sūtra* that the root of *dharma* is *artha* (wealth or material prosperity). The "economic interpretation" of virtue and felicity, the *summum bonum* of man, is thus unequivocally brought forth. As the concatenation proceeds, we are taught that *rājya* (*regnum*, the state, or the dominion of a ruler) is the root of *artha*. The "highest good" of man is thus fundamentally grounded in his political activities, in his being member of a state in his citizenship.¹⁰ The next three premises tell us successively that the root of the *rājya* is mastery over the senses, that the latter has its root in *vinaya*, *i.e.*, discipline or education, which, further, has its root in *Vṛiddhopasevā*, *i.e.*, association with the elders, the wise, or the "masters." This logical nexus between education, the state, and felicity is, as the aphoristic preservation of the ideas indicates, a principal item in the prolegomena to Hindu politics. Accordingly, in the curriculum of studies for intellectual training, *danda-nīti*¹¹ enjoys an honorable status, and the importance of this science is the constant burden of Śukra's lectures,¹² especially because, like Plato,¹³ the *nīti* philosopher believes fundamentally in the aristocracy of intelligence and is solicitous for the proper training of the "guardians," namely, the King and his assistants, who all are expected to acquire the attributes of the Kauṭilyan *rājarshi*.

(c) THE CATEGORIES OF HINDU POLITICS.

It may almost be taken for granted that every system of political philosophy is at once the cause and effect of two sets of conditions. In the first place, it has its psychological affiliations in the general philosophical attitudes that make the spirit of the age. And, in the second place, it has its positive foundations in the groundwork of the people's material, social and political institutions. A study of *nīti* philosophy in the perspective of this two-fold environment, such as those of Bluntschli, Janet and Dunning for the European systems, is not the object of the present undertaking. For, neither in the field of Indian philosophies nor in that of institutions do we possess the wealth of modern investigations intensive or extensive enough to allow of an attempt similar to that of

¹⁰. *Enc. Brit.* (article on Aristotle) ; Barker, p. 176.

¹¹. Śukra, I, lines 303-308, 313-314.

¹². *Ibid*, I, lines 8-10, 20-22, 25-38, 167-170, 301, 758, etc.

¹³. Cf. *Republic*, Books, V, VII.

Atger to interpret the numerous European theories of *samaya* (compact) since the earliest times, or of Coker¹ to place the "nineteenth century interpretations of the state as an organism or as a person" in their historical setting. Some time in the future it may be possible to indicate the "relativity" of the different types of Hindu political theory as Giddings², for instance, has suggested, in regard to the "natural right," contract, evolutionary, legal sovereignty, "group conflict" and Utopian theories of Western social philosophy.

We propose here to set forth the general scheme in and through which *nīti* philosophers as a rule tried to group their thoughts bearing on the political man. The categories are seven in number. These are the seven elements (*prakṛiti*) of the *rājya* (*regnum*). The state is, therefore, a seven-limbed (*saptāṅga*)³ corporation. It is in connection with this doctrine of *saptāṅga* that *nītiśāstra* brings in the discussion of its most fundamental problemis, such as those on *daṇḍa* (sovereignty), *prakṛiti* (the people), *rājarṣi* (the king-sage, the "philosopher-king"), *dharma* (law, justice, and duty), *maṇḍala* (international sphere), and so forth.

What now are the seven constituents or limbs (*pratyāṅgabhūtāḥ* in Kautilyan language) of the political organism? These are *svāmi* (master), *amātya* (minister), *suhṛit* or *mitra* (friend, i.e., ally), *koṣa* (treasure or finance), *rāṣṭra* or *janapada* (territory and the people), *durga* (fort), and *vala* or *daṇḍa* (army). In what sense do these *prakṛitis* or constituent elements form the *aṅgas* or members of an organic body? Śukra says that the master or ruler, e.g., a king is the head, the minister or councillor is the eye, the ally is the ear, the treasure is the mouth, the army is the mind (?), the fort is the arms, and the territory, together with the people, is the legs.

In reading this account of the human homologues of the different parts of the statal morphology, we seem to be moving in the atmosphere of John of Salisbury,⁴ without his theocratic superstructure. For, according to him, the *principate* or *regnum* is an organism, of which religion is the soul, the prince is the head, the senate is the heart, the judges and presidents of provinces are the eyes, ears and tongues, soldiers and subordinate officials are the hands, the king's assistants are the sides

¹ F. W. Coker's *Organismic Theories of the state* (n. 4. 1910).

² F. H. Giddings's "Theory of Social Causation," in the *Publications of the American Economic Association*, Vol.V. No. 2 (May, 1904), and "Concepts and Methods of Sociology," in *Science* (Nov. 11, 1904).

³ Śukra, I, lines 121-124; V. 1-2, 22-28 Kautilya, VI, i. VIII, i. For the term '*prakṛiti*,' see Sham Shastri (Eng. transl.), pp. XIV-XV.

⁴ Littlejohn, p. 45.

(*latera*), husbandmen, common workers and laborers are the feet, and the administrators of finance are the belly and intestines. Such naturalistic comparisons, in which the mediæval Hindu and English theorist are akin, have appealed to the fancy of philosophers in all ages. These anthropomorphic tendencies have been traced in Aristotle, Cicero, Livy and Seneca by Kricken in *Die sogenannte organische stats theorie*.⁶ For the Middle Ages the organismic analogies have been catalogued by Gierke.⁷ Aquinas makes use of the parallel, with the dictum that the fools are ruled by the wise, as the body by the soul.⁸ The idea occurs in Hobbes, who, as Coker points out,⁹ considers public ministers to be the nerves and tendons of the state, the judges to be organs of will, and money to be blood. Bodin describes the finances as *les nerfs de la republique*. As late as Rousseau, this popular notion persists in one form or another.

It is evident, of course, that neither the Hindu Śukra nor any of the European philosophers down to Rousseau were conscious of the biological¹⁰ analogy which has been introduced into political speculation in the nineteenth century. And, undoubtedly, the Oriental parallelism is as worthless as the Occidental. Nay, the absolute value of the latter-day organicists,¹⁰ who have advocated the physical and psychic animateness of the state, whether as a reaction against the mechanistic contractual theory of political origins, or under the general impact of modern philosophy, pervaded as it is with a strong biological bias, can hardly bear the criticism of logic and science.

But all the same, the element of truth that there is in all these pre-scientific and modern analogies must not be missed. For one thing, they all point to the cardinal fact in *samāha* or *saṅgha* (corporate) existence, *viz.*, that its different elements or members are united by what Aquinas calls *communitas*. The idea that each member, part or department, holds its own place and performs its own function, producing harmony or peace, is the basis as much of justice, the spiritual bond of Plato's *Republic* (Books II, III) as of the Kautilyan and Śukran *svadharma* and *varṇāśrama*. And it is this idea that the pseudo-biological hypothesis of the ancients from Kauṭilya to Rousseau contributes to political theory.

⁶ (Leipzig, 1873), pp. 20, 25.

⁷ Pp. 22-24.

⁸ Littlejohn, p. 93.

⁹ Ch. I.

¹⁰ H. Michel's *L'Idée de l'état* (Paris 1898), pp. 473-474.

¹⁰ Coker, pp. 190-193.

In the discussion of the inter-relation between the different *aṅgas* of the *rājya*, it is brought out in the *Śukranīti* ¹¹ that the *svāmi* has as great need of the *prakṛiti* (people) as the *prakṛiti* of the *svāmi*. The master and the *rāṣṭra* or *janapada* are parts of an inseparable whole. "Without the ruler," says Śukra, "the people do not keep to their own duties. Nor does the sovereign flourish on earth without subjects." The relation between the rulers and the ruled is thus one of philosophical necessity, government is a necessary phenomenon ; in other words, the *rājya* is a necessary institution. This is what is meant by saying that man is a political animal. The *Śukranīti* cannot think of human beings, except in the relation of rulers and the ruled, and makes its position clear by drawing upon the interdependence of the head and the legs in the individual organism.

Thus the organismic metaphor in *nīti*-philosophy is not merely structural or anatomical. It is partly functional, *i.e.*, physiological as well. The entire Book VIII of Kauṭilya is given over to the discussion of the *aṅgas* (the *prakṛitis*, the organs of the state) in some of their abnormal conditions, which are generically described as *Vyasana*, ¹² *i.e.*, the antithesis of *guṇa* or "natural" attributes. Each *aṅga* is presented in its "out of humour" state, so to speak, in the circumstances that deprive it of its "proper" *dharma* (functions), and hence of its just merits. Such conditions may befall the departments of the state through ignorance, vice, calamity or accidental disaster. In this pathological analysis, one chief motive of the theorist is to indicate that at least six of the "constituent elements" are really so many functionally differentiated organs to such an extent that the *vyasana*, say, the disease or weakness of one involves automatically the disease or weakness of the others, one "peccant" part affecting the well-being of all. We understand that the *aṅgas* are "organically" united as fairly interdependent parts of one vital *corpus*, and that no one is redundant, but that all are equally necessary to one another and to the whole, although, of course, the practical statesman knows what weight to attach to each. ¹³

The whole discussion, which is elaborately carried on through five chapters, need not be summarized here. We propose only to give a glimpse of the Kauṭilyan dialectic ¹⁴ which, besides, is quite interesting in itself as a specimen of the Socratic "sophistry" in which Hindus were proficient.

¹¹ I, 131-132.

¹² VIII. i, lines 3-5 (text).

¹³ VIII. i, (last three verses).

¹⁴ See the English translation, especially pp. 391-394.

Supposing that disease, degeneracy, corruption, calamity or disaster is likely to attack the *prakṛitis*, whether through *anaya* (ill luck) or through *apanaya* (wrong courses of action), the question that comes naturally to the theorist can be stated thus. Which of the *prakṛitis* (the *aṅgas*) is the most vulnerable of all? Or, is there any order or graded scale of vulnerability by which one can satisfy oneself as to the seriousness of a calamity to the entire body-politic from the *vyasana* affecting just one of its organs? The final answer elicited shows that the opinion on the subject is quite varied. The Kauṭilyan theory asserts that there is a real difference in the relative importance of one *prakṛiti* as against another as limbs of the same political organism. The argument, however, amounts virtually to demonstrating the fact that each element is supreme in its own place, serving a distinct purpose for the common end.

Kauṭilya accepts, therefore, the traditional idea that the *vyasana* of the master is more serious than that of the minister, that of the minister more than that of the *janapada* (land and its people,) that of the *janapada* more than that of the fort, that of the fort more than that of the treasure, that of the treasure more than that of the army, and that of the army more than that of the ally. And this position he maintains against the opinions of Bharadvāja, who believes that the *vyasana* of the minister is more serious than that of the master, of Viśālākṣa, who believes that the *vyasana* of the people and the territory is more serious than that of the minister, of the school of Parāśara, who maintains that the *vyasana* of the fort is more serious than that of land (and the people), of Piśuna, who believes that the *vyasana* of the treasure is more serious than that of the fort, of Kauṇapadanta, who believes that the *vyasana* of the army is more serious than that of the treasure, and of Vātavyādhi, who believes that the *vyasana* of the ally is more serious than that of the army.

We thus encounter altogether diametrically opposite opinions. But let us examine how the importance of some of these *aṅgas* is established in the different schools. We shall take the case of *amātya* vs. *janapada*. According to Viśālākṣa, the *vyasanas* of the people (and the land) are more serious because it is from the people (and the land), that the finances, troops, raw materials, services, transportation, and other necessities are realized. To this Kauṭilya replies that it is in the ministers that all activities have their roots, and that these activities include such things as the successful accomplishment of the people's undertakings, protection of person and property, prevention of disasters, the planting of colonies and improvement of waste lands, recruiting the

army, collection of revenues, and the granting of favours. It is clear that, whichever be the *aṅga* advocated, the claims advanced by the opponents are substantially the same, *viz.*, that its function is mainly responsible for the health and life of the organism, for *deśa-vṛiddhi*,¹⁵ *i.e.*, national advancement. And, since Kauṭilya has in this manner to advocate the claims of each *prakṛiti* in succession (with the exception of the ally), we can see how important the limbs are not only to the whole, but also to one another, functionally speaking.

Now, the idea of equal importance of the parts is not indispensable in a theory of organic unity. It is enough if some sort of functional co-ordination is established. We find, then, that the Kauṭilyan doctrine of the interdependence of at least six of the seven *aṅgas*, although partial, is expressive and significant.

Another such organismic concept in regard to some of the limbs of the state is furnished by Śukra. We are told that just as the branches, etc., of a tree wither up when its roots decay, so without the king, the commanders of the army and others in the state grow powerless. The king is here the root of the state, the ministers constitute the trunk, the military officers are the branches, the troops are the leaves and flowers, the people are the fruits, and the lands are the seeds (V. 22-26). Like other analogies, this analogy also is to be appreciated only as an evidence of the idea that no department of the state is independent of the others, and that the *rājya* is an indissoluble whole,—one vital sap running through all its parts from the soil up.

Altogether, then, it may be concluded that, in giving currency to the doctrine of *saptāṅga*, Hindu political philosophy did not popularize an arbitrarily strung system of seven categories. It embodies really a psychological attempt to conceive and classify political phenomena in their logical entirety.

SECTION IV.

HINDU ACHIEVEMENTS IN DEMOCRACY.

To appreciate the political theories and institutions of Asia in the proper historical perspective, it is necessary to remember that, in spite of Switzerland, universal suffrage and the initiative and referendum are essentially young phenomena in Eur-America; and that republicanism cannot be pronounced to be a historic trait of the occidental mind.

¹⁵ Kauṭilya VIII, iv (last verse).

On the other hand, it is apparent that the liberal political movements in Young Asia have, if at all, only very remote blood-relationship with the theories and institutions developed in its past history. The Japanese constitutional monarchy, the ideals of the Young Turk, the Chinese republic, as well as the nationalist activities in Egypt, Persia and India, are chiefly based on the modern Eur-American achievements. These sources can be briefly mentioned as : (1) the English parliament, (2) the American federation, (3) the "ideas of 1789," (4) the Idealism of Fichte and Schiller, (5) the socialism of Karl Marx and Louis Blanc, (6) the political mysticism of Joseph Mazzini, and, last but not least, (7) the philosophy and methodology of John Stuart Mill.

Within these limitations, it should be possible to define the rightful place of the Asians in a scientific study of comparative politics.

(A) *Oriental Political Philosophy.*

Writers on the history of political theory make it a point to quote democratic verses from the Bible. We are asked, for example, to note the following statement of St. Paul : "There can be neither Jew nor Greek, there can be neither bond nor free, there can be no male and female ; for ye are one in Christ Jesus."

Notions like this constitute a large part of Chinese and Hindu classics. Bulky as they are, they can be mainly grouped under the formula : "All men are morally and spiritually equal." The Pauline declaration is almost a chip from Vedantic monism.

* This section is substantially the same as the author's article on "Democratic Ideals, etc.," in the *American Political Science Review* (Nov. 1918). Footnotes have been added to indicate the extent of research since 1917. The author begs leave to mention some of his own contributions which are to appear in the journals in due course, and, in any case, to form chapters of his forthcoming *Political Institutions and Theories of the Hindus*.

¹ Ch. XLIX (Sale's translation).

The following are the three of the greatest names among writers of Moslem *ni-tiśāstra* in Arabic : (1) Farabi (-950) of Bagdad, an encyclopædic philosopher, the greatest intellectual of Islam (the teacher of Avicenna), whose *Model City*, based on Plato, may be seen in B. Carra de Vanx's *Avicenne* (Paris, 1900), p. 104 ; (2) Mawerdi (972-1058), chief justice of Bagdad, author of *El Akhām es-Soulthāniyah*. This book, complete in twenty chapters, has been translated down to the fifth, as *Les Regles du Pouvoir Souverain*, by L. Ostorrog, in two volumes (Paris, 1901-06). The Moslem theory of liberty may be seen in the translator's introduction, Vol. I, pp. 62-68. A complete translation of the same book in French, by E. Fagnan, is entitled *Les Statuts Gouvernementaux* (Paris, 1915). For an English summary of the first three chapters, see the *Journal of the Royal Asiatic Society* (1901), pp. 906-11. For three important topics dealt with by Mawerdi, see H. F. Amedoroz's articles on "The office of the Kadi," "The Mazalim Jurisdiction" and "The Hisba Jurisdiction," in the *J. R. A. S.* (1910, 1911, 1916) ; (3) Ibn Khaldoun (1372-1406) of Tunis and Morocco, Ambassador in Spain and chief justice of Cairo,

Moh-ti (c. B. C. 500-420), "the only Chinese who can truly be said to have founded a religion," was the preacher of universal brotherhood. Mencius (B.C. 373-289), the great Confucian philosopher, said: "Moh-ti loved all men, and would gladly wear out his whole being from head to heel for the benefit of mankind." This doctrine of universal altruism is, says Suh Hu in *The Development of Logical Method in Ancient China*, a repudiation of the Confucian principle of love decreasing with the remoteness of relationship. Hui Sze, the neo-Mohist dialectician of the fourth century B. C., also taught "Love all things equally; the universe is one."

In Islam, the social equality of all "believers" is proverbial. The brotherhood of the Mohammedans, without distinction of race, is the most characteristic tenet of their faith. The following is the injunction of the Koran¹ on this point:

"If two parties of the believers contend with one another, do ye endeavour to compose the matter between them make peace between them with equity Verily the true believers are brethren; wherefore reconcile your brethren neither defame one another; nor call one another by opprobrious names."

The Hindu *Purāṇas* also are replete with instructions like the following: "Everywhere, O Daityas (Titans), ye should perceive the equal, for the realization of equality (*samatva* or sameness, oneness, etc.) is the worship of God."²

This democratic conception of equality or Pauline oneness is es-
author of *Mokaddamah* (Prolegomena), in regard to which, see *supra*. Vide an English notice in C. J. G., de Hemso's "Account of the great historical work of the African philosopher, Ibn Khaldun," in the *Transactions of R. A. S.* (1835).

A fourth and most celebrated Moslem name in political philosophy (not in Arabic, but in Persian) is that of Nizam-oul-Moulk, premier of Seljuk Sultans, Alp Arslan and Malik Shah, from 1063 to 1092, famous in literature as the patron of Omar Khayyam. His *Siasset Nameh* (*Traité de gouvernement*), in fifty chapters, is available in French (C. Schefer's version, Paris, 1893). For an account of the author as statesman, see P. M. Syke's *History of Persia*, Vol. II, pp. 103-106 (London, 1915).

Vide also D. S. Margonliouth's "Omar's Instructions to the Kadi," in the *J. R. A. S.* (1910), B. C. de Vaux's "King (Muslim)," in the *Encyclopædia of Religion and Ethics* (ed. by I. Hastings, 1915) Vol. VII, and N. P. Aghnide's *Mohammedan Theories of Finance* (N. Y. 1916). C. Huart's *Littérature Arabe* (Paris, 1902) is available in English. For an account of the *Siasset Nameh*, see E. G. Browne's *Literary History of Persia from Firdawsī to Sadi* (London, 1906), pp. 212-217.

¹ A chapter from S. Khuda Buksh's forthcoming *Orient under the Caliphs* has appeared as "The Organism of the Muslim State, etc.," in the *Annals of the Bhandarkar Institute*, Poona, Vol. I, pt. 2. (1919-20).

² *Viṣṇu Purāṇa*, Ch. XVII.

essentially different from the idea of Aristotle, who believed in the fundamental inequality of man, to whom, therefore, slavery was a "natural" institution. But this is the common residuum of the teachings of the Chinese, Mohammedans, and Hindus of Asia, as well as the Stoics of the Hellenistic world, and the Church Fathers and Canonists of medieval Europe, in spite of sundry differences. Indeed, the doctrine is bound to remain the most acceptable postulate of thought, as long as there are men and women to take interest in religion and morals.

There are, however, sentiments of a more directly democratic character in oriental political philosophy. The Chinese classics, especially the Confucian *Shu-king* (Book of History)³ and the Mencian Books,⁴ and the Hindu *nīti-sāstras* (treatises on statecraft), *dharma-sāstras* (treatises on law), and epics (especially the *Mahābhārata*) contain frequent discussions as to the restraints on royal absolutism, the responsibility of ministers, and the authority of the people.

The whole political theory of the Chinese is, in fact, given in a nutshell in the dictum of Mencius that "the most important element in a state is the people; next come the altars of the national gods; least in importance is the king." Chinese mentality has thus been nurtured on a tradition which is diametrically opposite to the absolutism of the *Leviathan* and the divine right theory of the *Patriarcha*. It is treated almost as a constitutional principle that when the king of China misbehaves, it is the duty of the most virtuous and powerful of the provincial princes to depose and succeed him. . . . This is not the only point on which the political philosophy of ancient China was advanced and revolutionary."⁵

It is in the light of this ideal that we can understand the significance of the wording of the edict by which the last Manchu (Dowager Empress) formally declared the throne vacant and invited the Republic to step into the shoes of the monarchy. The "abdication" edict records the "desire to follow the precepts of the sages of old who taught that political sovereignty rests ultimately with the people." It has restated the Rousseauesque Mencian creed: "By observing the nature of the

³. Pt. II, Bk. II, ch. i, 6; ch. ii, 17, 18; Pt. IV, Bk. III. (Legge's trans.)

⁴. Bk. I, Pt. II, ch. iv, 10; ch. viii, 2, 3; Bk. V, Pt. I, ch. v, 8; Pt. II, ch. ix, 1.

⁵. Simcox's *Primitive Civilizations*, Vol. II, p. 18. Vide the present author's "Democratic Back-ground of Chinese culture," in the *Scientific Monthly* (N. Y., January, 1919).

For a general account, see M. M. Dawson's *Ethics of Confucius* (N. Y., 1915).

Japanese ideas can be seen in K. Asakawa's *Early Institutional Life of Japan* (A. D. 645) (Tokyo, 1905).

people's aspirations, we learn the will of Heaven." Verily, *vox populi vox dei* is almost a truism to the Chinese.

(b) *The doctrine of resistance in Hindu thought.*

Equally radical ideas about the authority of the people occur in the political philosophy of the Hindus. According to Śukra, the Hindu Mencius, "the ruler has been made by Brahmā (the highest God) but a servant of the people, getting his revenue as remuneration. His sovereignty, however, is only for the protection of the people."⁶ The king is described as a wage-earner by Baudhāyana in his law-book.⁷ As a corollary to this notion, the king, like any other public servant or individual in the state, is liable to fines for violation of the law. This is stated categorically by Manu.⁸

The dignity of the people is adumbrated by Śukra in a most merciless manner. He admits the importance of the office of kingship, but is not prepared to concede any distinction between man and man. Thus asks he, "Does not even the dog look like a king when it has ascended a royal chariot? Is not the king justly regarded as a dog by the poets?"⁹ The idea is that the king is as good or as bad as any other human being. There is no extra sacredness in the person of the king.

Śukra does not want to see the majesty of the people converted into a dead letter. So he advises that the king "should dismiss the officer who is accused by one hundred men."¹⁰ Here is one of the agencies by which public opinion is brought to bear on the state. This is the doctrine of recall in embryo.

The rights and interests of the people are, according to the practice in the *Mahābhārata*, safeguarded by the ministry.¹¹ It is almost a postulate with all writers on *nīti* that the ministers are the people's representatives and "guardians." They are intended to be a check on the royal power. As Bhāradvāja remarks, they constitute the sole prop of the state.¹²

⁶ Ch. I, lines 375-376; Ch. IV, sec. ii, line 259.

The subject has been discussed by the present author at some length in "The Theory of the Constitution in Hindu Political Philosophy," which is appearing in French in the *Revue des sciences politiques*, and in English in the Sir Asutosh Mukerjee Jubilee Commemoration Volumes (Calcutta, 1920.)

⁷ I, 10, 18, 1.

⁸ Ch. VIII, verse 336.

⁹ Ch. I, lines 745, 746.

¹⁰ Ch. I, line 755.

¹¹ *Journal of the American Oriental Society*, 1889, pp. 143, 144, etc.

¹² *Arthaśāstra*, Book VIII, ch. I.

Arbitrary monarchy has no place in Śukra's idea of legitimate authority. "The monarch who follows his own will, is the cause of miseries and soon gets estranged from his kingdom and alienated from his subjects." The result is a revolution in the state. This can be avoided, according to his advice, if the opinion of a "meeting" checks and controls the actions of the king. The wise ruler should, therefore, "abide by the well-thought-out decisions of councillors, office-bearers, subjects and members attending a meeting, never by his own opinions."¹³

Exclusive government by the one is also unequivocally ruled out of order in the *Matsya Purāṇa*¹⁴ and the *Agni Purāṇa*.¹⁵ "The king must not decide on the policies as one (*i.e.* quite alone)." (*Naikastu mantrayen mantram.*) The evils of such a rule are described by Kāmandaka,¹⁶ who as a writer of *nīti śāstra*, is older than Śukra. Even in Kauṭilya's *Artha-Śāstra*,¹⁷ the Bible of imperialism, the council of ministers is an essential estate of the realm.

Again, according to Śukra, it is not enough that there is a body of ministers in the state. They must be powerful enough to control the king. They must not be merely the "king's men." "Can there be prosperity in a kingdom," he asks, "if there be ministers whom the king does not fear?" And he defines "good ministers" as such persons "whose control the king fears."¹⁸ Consistent with this idea is the theory that the rejection of the ministers' advice by the king is tantamount to tyranny. "The king who does not listen to the counsels of ministers about things good and bad to him, is a thief in the form of a ruler, an exploiter of the people's wealth."¹⁹

But the legally constituted council of ministers, "the few," may often fail to bring to bay an arbitrary Charles I, the Chow in Mencius' story. Śukra has discussed such a contingency, and has found in the ultimate power of the people the only solution of such problems. Should the councillors have been brow-beaten by the king, "the unity of opinion possessed by the many is more powerful than the king. The rope that is made by a combination of many threads is strong enough to drag the lion."²⁰

¹³ Ch. II, lines 5, 6, 7, 8.

¹⁴ Ch. 220, verse 37.

¹⁵ Ch. 225, verse 18.

¹⁶ Ch. XI, verse 75.

¹⁷ Book I. Chs. VIII, IX, XV.

¹⁸ Ch. II, lines 163, 164.

¹⁹ Ch. II, lines 515, 516.

²⁰ Ch. IV, Sec. vii, 830-833, 838, 839.

Logically, therefore, the Hindu political thinkers have been, as a rule, advocates of active resistance. According to Kauṭilya, the nemesis of tyranny is expulsion. The *Mahābhārata*²¹ justifies regicide on the part of the people (*tam hanyuh prajāḥ*), if the king is not a "protector" and "leader," but one who "spoils" or ruins and "demolishes" or destroys. According to Manu,²² the king who through foolishness tyrannizes over his own state, is very soon "deprived of his kingdom and life, together with his kith and kin. As the lives of living beings perish through torture of the body, so the lives of kings also are lost through torturing the kingdom." And *Śukra-nīti*²³ is as emphatic as the *Mahābhārata* in its advice to the people regarding the treatment of a tyrant. "If the king is an enemy of virtue, morality, and strength, the people should expel him as the ruiner of the state." And for the maintenance of the state, "the priest with the consent of the *prakṛiti* (the council of ministers) should install one who belongs to his family and is qualified."

Historical evidences and legendary traditions show that these notions about the popular source of political authority were not mere copy-book maxims. The minister I Yin confined the sovereign, Tai Chia, temporarily in a palace at Tung, near the remains of the former king, "until he gave proof of reformation." When Kung-sun Chow asked Mencius whether worthies being ministers might indeed banish their vicious sovereigns in this way, he answered: "If they have the same purpose as I Yin, they may; otherwise it would be usurpation."²⁴ In India, King Bimbisāra²⁵ had to abdicate in favor of his son, because he had violated the law of the land. And an unalloyed democracy was the polity in operation during the first period of the Mohammedan Caliphate, when every "believer" had the right to be a councillor.

But, on the whole, these theories of oriental political philosophy should be evaluated in the same way as those in medieval Europe. In the first place, as Mr. Figgis remarks,²⁶ we are always in danger of reading our thoughts into the words of the ancients, of drawing modern deductions from non-modern premises. In the second place, such speculations cannot be wholly taken as the outcome or reflex of actual popular developments. The democratic ideals of philosophers, the pious

²¹ Book XIII, ch. LXI, 32.

²² Ch. VII, verses 111, 112.

²³ Ch. II, lines 549-552.

²⁴ Mencius, Book VII, Part I, xxxi.

²⁵ Beal's *Buddhist Records*, Vol. II, p. 166.

²⁶ From Gerson to Grotius, p. 31.

wishes of moralists as to the right conduct of statesmen, or the admonitions by sages and "superior men" do not necessarily indicate the existence of republican institutions.

Not only in political theory, but in political development, also, Asia's record is to a considerable extent parallel to that of continental Europe down to 1789. For all practical purposes, it is despotism, arbitrary, even when "enlightened," that has been the norm in the development of European polity. And the checks and restraints casually imposed on it by the assemblies have had no cumulative effect, except in England, in the making of constitutionalism. If students of political institutions were less accustomed to read into past achievements the meaning of the latest phases of popular sovereignty, they would find that the republicanism of to-day has really had no precedent either in classical or feudal Europe. And, if an unprejudiced investigation of a searching character were attempted in the field of Asian political institutions for the same periods, the effort would lead to a discovery of the "doubles" or replicas and analogues of what the occidentals have been familiar with among themselves. Political science would then recognize that, after all, Asia's experience has not been distinctively "Oriental," but that, what should be assumed *a priori*, man has been fundamentally the same "political animal" of Aristotle, both in the East and the West.

(c) *The republics (Gaṇas) of ancient India*

Republics with sovereign authority must have originated very early in India.⁷⁷ Some of them survived with complete or modified independence down to the fourth century B. C. These are mentioned, not only in Buddhist and Jaina records, but also in the Greek and Latin literature on India and Alexander,⁷⁸ as well as in the Sanskrit epics and treatises on politics.

The Hindus of the Vedic age were familiar with republican nationalities. Among the Uttara Kurus and the Uttara Madras the "whole

⁷⁷ Rhys David's *Buddhist India*; Jayaswal's "Introduction to Hindu Polity," in the *Modern Review*, Calcutta, May-July, 1913; Law's "Forms and Types of States in Ancient India," in the same journal, September, 1917. Jayaswal's "Republics in the *Mahābhārata*," in the *Journal of the Bihar and Orissa Research Society* (Bankipore, 1915); Mookerji's *Fundamental Unity*, pp. 74-75, and *Local Government*, pp. 31, 215; Majumdar's *Corporate Life*, 87-122; Lal's "Republican Tradition," in the *Mod. Rev.* (January, 1920); and the present author's "Gaṇas or Republics," in the same journal (March, 1920) and "Republican States of Hindu India."

⁷⁸ Megasthenes' *Fragments*, L, LVI; *Journal of the American Oriental Society*, XIII, 136.

community was consecrated to rulership," in the language of the *Aitareya Brāhmaṇa*.²⁹ Such polities were called *vairājya*, i. e., kingless.

Republics are described in the *Mahābhārata* as invincible³⁰ states in which the rule of "equality" is observed (*sadṛīṣaḥ sarve . . . jātya . . . kulena*). "Neither prowess nor cleverness can overthrow them; they can be overthrown by the enemies only through the policy of division and subsidy."

The men who constituted the executive of such kingless polities were called *rājan*,³¹ or kings. The title reminds one of the impression which the Senate of republican Rome left on the emissaries of Pyrrhus of Epirus. They described it as an "assembly of kings."

During the lifetime of Śākyasimha, the Buddha (B. C. 623–543), the Sakiyas and the Vajjians were the most important republican clans in the eastern provinces of India. The territory of the Śakiya republic covered about fifty miles east to west, and thirty or forty miles southward from the foot of the Himalayas. The population numbered about one million.

The Videhas had at first been monarchical, with jurisdiction over an area twenty-three hundred miles in circumference. But they abolished the regal polity, and joined the Vesali and six other peoples to form the powerful Confederacy of the Vajjians. The administrative and judicial business of the Śakiya republic was "carried out in public assembly, at which young and old were alike present, in the common mote hall. A single chief . . . was elected as office-holder presiding over the sessions, and if no sessions were sitting, over the state. He bore the title of *rājā*, which must have meant something like the Roman consul or the Greek archon." Besides this mote hall at the principal town, we hear "of others at some of the other towns. And no doubt all the more important places had such a hall or pavilion."³²

In the United States of the Vajjians, "criminal law was administered by a succession of regularly appointed officers: justices, lawyers, rehearsers of the law maxims, the council of the representatives of the eight clans, the general, the vice-consul, and the consul himself. Each of these could acquit the accused. But if they considered him guilty, each had to refer

²⁹ VII, 3, 14.

³⁰ *Shānti-parva*, ch. CVII, verses 30-32.

³¹ *Buddhist India*, pp. 22, 41.

³² *Ibid.*, Ch. II.

the case to the next in order above them, the consul finally awarding the penalty according to the book of precedents."³³

Buddha himself was a staunch republican in political views. We have the following conversation between him and his disciple, "the venerable Ananda," in the *Maha-pari-nirvana-suttanta* :

"Have you heard, Ananda, that the Vajjians foregather often and frequent the public meetings of the clans ?"

"Lord, so I have heard," replied he.

"So long, Ananda," rejoined the Blessed One (Buddha), "as the Vajjians foregather thus often, and frequent the public meetings of their clan, so long may they be expected not to decline but to prosper."

And, in like manner, questioning Ananda and receiving a similar reply, the Exalted One declared as follows the other conditions which would ensure the welfare of the Vajjian Confederacy :

"So long, Ananda, as the Vajjians meet together in concord, and carry out their undertakings in concord so long as they honour and esteem and revere and support the Vajjian elders so long may they be expected not to decline but to prosper."³⁴

It was not in a quietist's manner that Buddha tried to realize his ideas. He was an active organizer. From the same text we catch a glimpse of his republican propaganda. He says : "When I was once staying at Vesali, at the Sarandada shrine, I taught the Vajjians these conditions of welfare."

These are three of the "seven conditions of welfare" in the political philosophy of Buddha. And he was militant enough to maintain this republican creed even when pitted against monarchy. Ajâtasatru, the king of Magadha, had been contemplating the annihilation of the Vajjians "mighty and powerful though they be." But Buddha rose to the height of the occasion and confidently declared : "The Vajjians cannot be overcome by the king of Magadha, *i.e.*, not in battle, without diplomacy or breaking their alliance." Had the Athenians a greater champion of popular sovereignty in Demosthenes when threatened by the "barbarian" of Macedon ?

Coming down to a later period, we find that it was with the powerful military republics that Alexander had to measure his strength in his

³³ *Ibid.*, Ch. II ; H. C. Raichaudhuri's "Lichchhavis of Vaisali," in the *Mod. Rev.* (July, 1919).

³⁴ *Dialogues of the Buddha*, Vol. II (translated by Rhys Davids). See the present author's "Ecclesiastical Polity of Old Asia" in the *Vedic Magazine*.

march through the Punjab and Sindh (B. C. 326).⁵⁵ The most important of them were the Arattas, the Kṣudrakas, the Khattiyas, and the Malavas. The political constitution of the city of Patala, near the apex of the delta of the Indus, was, according to Diodorus,⁵⁶ drawn "on the same lines as the Spartan." For in this community "the command in war vested in two hereditary kings of two different houses, while a council of elders ruled the whole state with paramount authority." The republic of the Arattas,⁵⁷ (*Arāṣṭrakas*, i. e., kingless) came to the help of Chandragupta Maurya when a few years later he commanded a successful crusade against the Greeks of the Indian borderland.

The number of republican states during the second half of the fourth century B. C. was large enough to draw the attention of Kautilya, the Hindu Bismarck. As these petty popular polities were a nuisance, obstructing the achievement of an all-Indian nationalism, the finance minister advised his master, Chandragupta, to use blood and iron in order to exterminate them. The method of his *Artha-śāstra* is the same as that propounded, about eighteen hundred years later, in the *Prince of Machiavelle*, the first "nationalist" of Europe.

The republics were, however, considered by Kautilya as very valuable assets. "The acquisition of the help of republics (*gaṇa*) is better than the acquisition of an army, an ally, or profits."⁵⁸ Before undertaking to destroy them by force of arms, therefore, the would-be *dominus omnium* or *sārva-bhauma*, i. e., imperialist nation builder, should, says he, make it his duty to win them over to the cause of a unified empire-state. And, of course, as the end justifies the means, Walpolian bribery and corruption might be freely practised. From the impeachment of Aeschines by Demosthenes, as also from the Philippics of the orator, we know that the "Emathian conqueror" liberally availed himself of the Kautilyan methods, in order to demoralize and subjugate the free cities of Hellas.

The Hindus and the Hellenes were thus simultaneously marching along the same roads of political experience. And the earliest Asian republics had the same fate as the European. In B.C. 338, Philip crushed the little republics of Greece and founded the Macedonian empire.

⁵⁵ Smith's "Position of the Autonomous Tribes of the Punjab," in the *Journal of the Royal Asiatic Society*, 1903, pp. 685-702.

⁵⁶ McCrindle's *Invasion of India by Alexander* (ed. 1896), p. 296.

⁵⁷ *Ibid.*, p. 406.

⁵⁸ Book XI. Mr. Shamasastri translates *gaṇa* by "corporation." The context requires that it should be "republic."

A few years later (B.C. 321), Chandragupta founded the first empire of a united India, and became *chakravartî*, *châturanto*, or *sârva-bhauma*, the "lord of *universitas quaedum*," to use an expression from Bartolus. The empire swallowed up the lesser monarchies which had reared themselves on the graves of clusters of republican sovereignties.

The earliest Hindu polity was, however, similar to that with which students of constitutional history are familiar in Homeric literature. It was the tribal organization, based on the autonomy of the self-governing communities.

The nucleus of civic life was the assembly. The same Aryan institution was called *agora* in Greece, *comitia* in Rome, *gemot* among the Saxons, and *sabhâ* among the Hindus. This assembly of the whole folk, variously called *sabhâ*, *samiti*, *samsad*, *samgati*, etc., was the legislature, as well as the judiciary, nay, the army too. The temper of the people was vehemently democratic; the village, or rather the tribe, was the unit of political life; administration was carried on by public discussion; animated speeches must have been a characteristic feature of that society.

In the *Atharva Veda* (c B.C. 1000-800), we listen to an almost modern harangue in the interest of political unity and concord:

"Do ye concur; be ye closely combined; let your minds be concurrent; as the gods of old sat concurrent about their portion.

"Be their counsel the same, their gathering the same, their course the same, their intent alike; I offer for you with the same oblation; do ye enter together into the same thought.

"Be your design the same, your hearts the same, your mind the same, that it may be well for you together." ³⁹

Public speaking was cultivated as an art of political life. Members came to the *sabhâ* with speeches well prepared. Success in the assembly was an ambition of life. In the following lines we catch an orator in the green-room, so to speak, making himself ready for the debate and praying for victory in it:

"May my foe by no means win the dispute; overpowering, overcoming art thou; smite the dispute of my counter-disputant. . . .

"Do thou smite the dispute of him, O Indra (God), who vexes us; bless us with abilities, make me superior in the debate." ⁴⁰

Within the assembly itself there was keen competition among the members each to carry his own point. Each wanted to win over the

³⁹ VI 64 (ed. and trans. Whitney and Lanman). Vide Zimmer's *Alt-Indisches Leben*, pp., 171-174.

⁴⁰ *Atharva Veda*, II, 27.

whole audience to his way of thinking.⁴¹ Here is a demagogue praying for the effects of an oratorical hypnotism, as it were :

"With whom I shall come together, may he speak to aid me : may I speak what is pleasant among those who come together, O Fathers. . . .

"Whoever are thine assembly-sitters, let them be of like speech with me.

"Of those that sit together I take to myself the splendour, the discernment ; of this whole gathering make me, O Indra, possessor of the fortune.

"Your mind that is gone away, that is bound either here or here—that of you we cause to turn hither ; in me let your mind rest."

All these debates and deliberations in the assembly were but accessories to the principal end of Vedic life, viz., warfare and annihilation of the enemy. The Hindus of the colonizing period, described in the Vedas, were preëminently fighters. Success in arms was the *leitmotif* of their songs, sports, rituals and ceremonies. And, as in the Teutonic polity, in the Hindu also "war begat the king."

(d) *The Vvedic Kingship.*

We do not have facts relating to the exact historical origin of kingship among the Vedic tribes. But the extremely outspoken attitude and the general absence of restraint manifest in some of the "election-hymns" indicate the essential equality and comradeship of the ruler with the ruled. Probably the will of the people had transformed the occasional leader (*heretoga*) for war purposes into a permanent chief or king. The *Aitareya Brâhmaṇa*⁴² is cited by Kashiprasad Jayaswal in support of this view : "The Devas and the Asuras were fighting. . . . the Asuras defeated the Devas. The Devas said : 'It is on account of our having no king that the Asuras defeat us. Let us elect a king.' All consented."

Once instituted, kingship remained elective for a long time. The inauguration of a king "who has been called or chosen" by the people is thus portrayed in the *Atharva Veda* :

"Unto thee hath come the kingdom ; with splendour rise forward ; (as) lord of the people, sole king, bear thou rule ; let all the directions call thee, O king ; become thou here one for waiting on, for homage.

"Thee let the people choose unto kingship ; thee these five divine directions

⁴¹ *Atharva Veda*, VII, 12.

⁴² I, 8, 14.

"Like a human Indra, go thou away ; for thou hast concurred in concord with the castes (?) ; he here hath called thee in his own station. . . .

"The wealthy roads, of manifoldly various form, all assembling have made wide room for thee; let them all in concord call thee." ⁴³

The people not only elected new kings, but sometimes also restored an expelled king against rival claimants. Thus we read :

"Thy friends have chosen thee against them ; Indra and Agni, all the gods have maintained for thee security in the people.

"Whatever fellow disputes thy call, and whatever outsider—making him go away, O Indra, then do thou reinstate this man here." ⁴⁴

It was in such an environment of popular ascendancy that the Vedic king had to lord it over the world and lead his hosts, like Agamemnon against Troy, "conquering and to conquer." The all-seeing *sabhâ* made it impossible for the one to monopolize all the functions of the state. The few, if not the many, still controlled the public business, as in the Tacitean *civitas* and the early Greek settlements. Besides, the people had the greatest weapon in their hands—the power of expelling or deposing the king. ⁴⁵

Kingship became hereditary in India, as in other countries. But the Vedic right and practice of election ⁴⁶ were not forgotten in subsequent ages. The tradition is kept up in the *Mahâbhârata*. ⁴⁷ We read in it of the election of Śantanu as against Devapi, of Pandu as against Dhritarâstra, of Yudhisthira as against Duryyodhana, etc.

The sovereignty of the people maintained itself not only in the theoretical right of election, but also practically in the elaborate ceremonies which attended the coronation of the king. One of the incidents in the investiture was the *pratijñâ*, the vow, promise, or oath, by which the king had to bind himself to the state. The *pratijñâ* ⁴⁸ is thus worded:

⁴³ III, 4.

⁴⁴ *Atharva Veda*, III, 3. Vide Basu's *Indo-Aryan Polity during the period of the Rig Veda*. The book has not been seen by the present author. See also Majumdar, pp., 38-40.

⁴⁵ *Satapatha Brâhmaṇa*, XII, 9, 3, 3 (*The Sacred Books of the East*).

⁴⁶ Jayaswal's "Rituals at Hindu Coronation: their Constitutional Aspects," in the *Modern Review*, Calcutta, January, 1912; Law's "Ancient Hindu Coronation and Allied Ceremonials," in the *Ind. Ant.* (1919).

⁴⁷ Hopkins' article in the *Journal of the American Oriental Society*, 1880, pp. 187, 189, 149.

⁴⁸ *Mahâbhârata Śaṁti-parva*, Ch. LIX, verses 106, 107.

"I shall always regard the *bhauma* (country) as the Brabma (the highest God). And whatever is to be prescribed as law on the basis of statecraft I shall follow without hesitation, never my own sweet will." The coronation oath thus made, the king was subordinate to law. It was, in fact, the basis of a *samaya* ⁴⁰ or compact ⁵⁰ between him and the people.

The right of election did not become a dead letter in more historical times. In the second century A. D., Rudradâmana⁵¹ was elected to kingship by "all the orders of the people." In the seventh century, Harṣavardhana came to the throne through election by ministers and magistrates; and the approval of the people was "shown in their songs."

On the latter occasion, Premier Bhandi, "the distinguished," "whose power and reputation were high and of much weight," addressed the assembled ministers thus: "The destiny of the nation is to be fixed today. The old king's son is dead, the brother of the prince, however, is humane and affectionate Because he is strongly attached to the family, the people will trust in him. I propose that he assume royal authority. Let each one give his opinion on the matter whatever he thinks."⁵²

During the middle of the eighth century, a commoner was elected king, in the person of Gopâla, "who eventually became the founder of the Bengali empire. The people wanted a strong monarch as the panacea for the evils of the "logic of the fish" (*mâtsya nyâya*), Gumpłowicz's *Naturprozess* or the Hobbesian "state of nature," i. e., anarchy.

(e) *Conciliar Elements in Hindu Polity.*

Since the establishment of the Maurya empire in India (B.C. 321) and the Tsin empire in China (B.C. 221), the constitutional story of the two countries has been more or less the same. With the fall of the Greek republics (B.C. 338), and later, with the conversion of the Roman republic into an empire (B.C. 27), Europe also entered upon the career of despotism, mostly arbitrary and absolute, until it received a strong blow in the English revolution of 1688, and was shaken to its foundations by the French revolution of 1789. But during this period the organs of public opinion were not altogether extinct. In Asia, as in Europe, the

⁴⁰ *Ibid.*, LXVII, 17, 24.

⁵⁰ Compare the significance of oaths in Carlyle's *Medieval Political Theory*, Vol. III, 39-40.

⁵¹ *Epigraphia Indica*, VIII, 43.

⁵² Beal's *Si-yu-ki*, Vol. I, pp. 210-211.

⁵³ Banerji's *Memoir on the Pulas of Bengal*, p. 45. Asiatic Society of Bengal, Calcutta.

voice of the people made itself heard, at least semi-constitutionally, in the affairs of states.

The Vedic *sabhâ* seems to have passed through four, not necessarily successive, stages. It may be said rather to have been the prototype of three new administrative bodies.

In the first place, as we have seen, it was a "direct democracy" of the patriarchal type, *i. e.*, "with its chief at the head as the permanent executive" or king

Secondly, it was probably such an assembly that constituted the council of the *vairâjya* (kingless) polities. These two types must have flourished side by side for a long time.

Thirdly, with the expansion of the tribe and clan in population and area, the primitive *agora* of the whole folk must have gradually dwindled into the less numerous and hence less democratic council of ministers, *i. e.*, the king's assistants or advisers in war and peace. The council of the *witan*, in the early English constitution, had the same origin and status.

In this third form, the Hindu *sabhâ* was a permanent "estate," and served the purposes for which the *Champs de Mars* and the *Champs de Mai* were but occasionally convened by the French kings down to the thirteenth century. This institution was for a long time synchronous with the second, and outlived it.

And, fourthly, the Vedic *sabhâ* may be regarded as persisting all through the ages in the primary units of administration, the rural communes, the so-called "village communities." Anthropologically, no doubt, these village institutions, no matter whether the lands are owned in common or in severalty, have to be explained as altogether independent growths, as they are distributed⁵⁴ almost as widely as mankind, in one form or another. Nevertheless, these folk-moots do not differ in kind from the Teutonic, Homeric, and Vedic *civitas*. Logically, therefore, if not chronologically, they may be treated as "survivals," so far as administrative (as distinguished from agrarian) history is concerned.

The patriarchal democracy disappeared from India long before the Maurya empire, and probably the last vestiges⁵⁵ of the sovereign

⁵⁴ Asakawa's "Contributions of Feudal Japan to New Japan," in the *Journal of Race Development*, July, 1912; Ashley's *Surveys Historic and Economic*, pp. 92-106, 147-151, 152-156; Gomme's *Primitive Folk-moots*, 20-69, and *Village Community*, 233; Stubb's *Constitutional History*, Vol. I, p. 34; Seeborn's *English Village Community*, 437-441; Maine's *Village Communities in the East and West* (ed. 1876), pp. 122-126; Lowie's *Primitive Society*, pp. 383-395.

⁵⁵ For traces of Hindu republics about seven centuries later than this date, see Smith's *Early History of India* (ed. 1914), p. 286, and especially Ajumdar, pp. 113-121.

republics were absorbed into it. But the council of ministers and the village community have since then represented the conciliar element in the Hindu constitution.

The ministry was indeed of substantial importance in the politics of India. Not only the semi-mythical "great exemplars," like Rama and Yudhisthira of India, but the historical Charlemagnes and Fredericks of oriental history also, are known to have been greatly controlled by their ministers. Matters of public law could not be passed by the king alone.

The council of ministers is invariably mentioned as authority along with the king in the royal grants with which we are familiar in Ceylonese inscriptions. "Hiuen Tshang tells the story of a Hindu minister who succeeded in checking the ultra-philanthropic quixotism of his king. The minister argued thus: "Your Majesty indeed will get credit for charity, but your minister will lose the respect of all," because "your treasury will thus be emptied and then fresh imposts will have to be laid, until the resources of the land be also exhausted, then the voice of complaint will be heard and hostility be provoked." "7

Similarly, it is the initiative and sense of responsibility of the Persian ministers that lay behind the splendid work done under the Abbasside caliphs of Bagdad in science, literature, material improvements, roads, canals, etc.

The rural communes of India are well known to students of political institutions as more or less self-sufficient units of local government, through the writings of Sir Henry Maine, though his statements about the "communal" character of land-tenure in the Indian villages can no longer be accepted *in toto*, in the light of Baden Powell's detailed investigations.

Buddhist evidences furnish us with glimpses into village self-rule for the fifth and sixth centuries B. C. "The villagers united of their own accord to build mote halls and rest-houses and reservoirs, to mend roads between their own and adjacent villages, and even to lay out parks. And it is interesting to note that women are proud to bear a part in works of public utility." "8

South Indian inscriptions of the tenth century indicate that, sometimes, the general assembly of the village was divided into several com-

" *Epigraphia Zeylanica*, Vol. I, no. 9; Vol. II, no. 5.

" *Beal's Si-yu-ki*, Vol. I, p. 107.

" *Buddhist India*, Ch. III.

mittees: (1) annual committee, (2) garden committee, (3) tank committee, (4) gold committee, (5) committee of justice, (6) committee for general supervision or some special tax. There was no prohibition against women being members.⁵⁹

The mode of election to the committees was as follows: "The village with its twelve streets was divided into thirty wards (the number of members is thirty). Every one who lived in these wards wrote a name on a ticket. The tickets were first arranged in separate bundles representing the thirty wards. Each bundle bore the name to which it belonged. The bundles were then collected and put into a pot and placed before the general body of inhabitants, both young and old, in meeting assembled. All the priests were required to be present. The oldest priest among the present then took the pot, and looking upwards, so as to be seen by all people, called one of the young boys standing close by, who does not know what is inside, to pick out one of the bundles. The tickets in this bundle were then removed to another pot. After it had been well shuffled, the boy took one ticket out of this bundle and handed it to an officer called the arbitrator, who received it in the palm of his hand with fingers open. He read out the name, and it was then shouted out by the priests."⁶⁰

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nîti makes us familiar with some of the old state legislation relating to the gilds: "The leader or captain of those who combine to build a palace or a temple and construct canals or furniture is to get twice the share received by each of the others. The remuneration of a musical party is also to be divided according to this principle."¹¹ About joint stock enterprises, we are told that "those who deal in gold, grains, and liquids collectively, shall have earnings according to the amount of their share, greater, equal or less"¹²

But the Hindu gilds were no mere monopolistic economic organizations against which the state had to protect the people. They were virtually little states in themselves. They had their own judges and judicial tribunals. We learn from Narada⁷³ and Brihaspati⁷⁴ that "companies or corporations . . . have the power to decide law suits,"¹³ And their position on the judicial hierarchy is indicated in the *Sukranîti* as follows:

"The corporations will try the cases not tried by the families, the assemblies will try the cases left by the corporations."¹⁴

The gilds were legislators too. The companies of traders are mentioned by Manu⁷⁷ as law-making bodies, and he declares some of their usages in his *Institutes*. The customs of the gilds should be studied by the king, says Sûkra,⁷⁸ with reference to the administration of justice. And on the gilds themselves their own practices were binding.⁷⁹ All these customs and usages were recognized by the state, and thus constituted "positive" law.⁸⁰

Further, the gilds were treated as representative bodies by the king. "It is through their gilds that the king summons the people on important occasions. The aldermen or presidents of such gilds are sometimes described as quite important persons."⁸¹ And if there were disputes between gilds in their corporate character, they fell within the jurisdiction

¹¹ Ch. IV, sec v, lines 606-608.

¹² *Ibid.*, IV, v, 614-615.

¹³ "Legal Procedure." Vide Gebelir's *Etudes sur le droit civil des Hindores*, Vol. I (Ch. on des Societes).

¹⁴ *Ibid.*, Ch. I, verses 28-31.

¹⁵ Jolly's *Minor Law Books*, Part I, pp. 346-350.

¹⁶ Ch. IV, v, lines 59-60.

¹⁷ Ch. I, verse 118.

¹⁸ Ch. IV, v, lines 89-91.

¹⁹ Ch. IV, v, line 35.

²⁰ The "corporation law" relating to the constitution of gilds and public associations is given by Brihaspati (Ch XVII, verses, 5, 10, 13, 15, 16, 17, 19, 22, 24).

²¹ *Buddhist Indîa*, p. 97.

of the royal courts. "The Lord High Treasurer acted as a sort of chief alderman over the aldermen of the gilds."

Constitutionally speaking, then, these oriental semi-sovereign *samāhas*, i.e., corporate bodies, the group-persons of Gierke or "*groupes professionnels*" of Durkheim, have had much the same relation with the state as the "gild merchant" and craft gilds of medieval Europe with the borough administrations of Ghent, Cologne and Florence, or with the feudal barons, or with the king himself. The political immunities and privileges of the European artisans were, generally speaking, no other than the autonomies "delegated" to the *śrenīs* and *nigamas* by the oriental rulers.⁶²

(g) *Laissez faire.*

The liberties, personal and communal, associated with feudalistic disintegration are the inevitable concomitants of all decentralization. These have been enjoyed by the Hindus during almost every period of their history.

Like the Byzantine, Carolingian and Hapsburg empires of Europe, and like the Tang Ming and other Chinese empires, the Maurya, Gupta, and Moghul empires of India were, except for short intervals, mere apologies for empires, if we strictly apply to them the test of Austinian sovereignty. These *Weltherrschaften* were really the nurseries of home rule, provincial autonomy, and local self-government.

It should not be surmised, however, that strong centripetal forces were wanting in India. From Sanskrit and Pali sources we learn, as in Radhakumud Mookerji's *Fundamental Unity of India*,⁶³ that the conception of pan-Indian nationality and *federation de l'empire* was the permanent source of inspiration to all "aspirants" (*vijigīṣu*) to the position of the *chakravarti* or the *sārva-bhauma*, i.e., the *dominus omnium* of Bartolus. And more than one oriental Napoleon succeeded in

⁶² Brissaud's *History of French Public Law*, p. 253; Gross' *Gild Merchant*, Vol. I, pp. 105, 159-162, etc. Compare Brihaspati in note 80 and Birdwood in note 70. Vide Hopkins' *India Old and New* pp. 193-196 (jurisdiction of the gilds), and especially Mookerji's *Local Government*, Chs. II, III, IV, and Majumdar, Ch. I. See the present author's "Craft Gilds and Gild Merchants in Hindu Commonwealths," in *Giornale degli Economisti* (Rome).

It should be pointed out that, in so far as contemporary political and social philosophy, e.g., that represented by Gumplowice, Schaeffle, Duguit, Figgis, Small and others, may be said to have been advocating the restoration of the medieval gild organization and the correlated representation of economic and professional interests in the community, rather than the territorial and personal representation, the old Hindu *śrenīs* and castes (*varṇas*) can still acquire a fresh lease of life in the new nīti philosophies of young India.

⁶³ Pp. 70-74, 106, 108-111, etc. Vide the present author's "Hindu Theory of International Relations," in the *A. P. S. R.* (Aug. 1919).

giving a unified administration, financial as well as judicial, to extensive provinces in Hindustan.

Organization in India under the *sârva-bhauma* or *chakravarti* emperors was no less thorough than in China under the Manchus.⁸⁴ The census department of the Maurya empire, as described by Megasthenes and Kautilya, was a permanent institution. It numbered the whole population, says Narendranath Law,⁸⁵ as well as the entire live-stock, both rural and urban. Causes of immigration and emigration were found out. "Managers of charitable institutions were required to send information to the census officers." "Merchants, artisans, physicians, etc., had also, under the city rules, to make reports to the officer in charge of the capital, regarding people violating the laws of commerce, sanitation, etc."

The centralization manifest in the collection of vital statistics marked every department of governmental machinery. The central government bestowed attention upon the question of irrigation even in the most remote provinces. "Although Girnar is situated close to the Arabian Sea, at a distance of at least 1000 miles from the Maurya capital (Pataliputra, on the Ganges, in Eastern India, the site of modern Patna), the needs of the local farmers did not escape the imperial notice."⁸⁶ It is an open question if imperialism was ever more effective in any period of European history.

Chandragupta and Asoka's highest court of judicature⁸⁷ might be the model of the *Parlement* of Paris, first organized in the thirteenth century by Louis IX. The judicial hierarchy of the traditional law-books was also similar to that of the Chinese: "A case tried in the village assembly goes on appeal to the city court, and the one tried in the city court goes on appeal to the king."⁸⁸

In Moghul India, land revenue was assessed on a uniform basis of measurement. The France of Louis XIV, though about one-third of the contemporary Indian empire, did not possess this uniformity, in

⁸⁴ Cf. Williams' *The Middle Kingdom*, Vol. I, pp. 395-500. Tocqueville's adverse criticism of the centralization under the *ancien régime* (Brissaud's *History of French Public Law*, p. 396) would apply with no less force to the centralization of rural communes under the Kautilyan imperialism ("Chanakya's Land and Revenue Policy," by Shamasastri, in the *Indian Antiquary*, 1905, pp. 7, 8.)

⁸⁵ *Studies in Ancient Hindu Polity*, Vol. I, pp. 106-114; see the present author's "Public Finance of Hindu Empires," in the *Annals of the American Academy of Political and Social Science* (Philadelphia) and "War-office of Hindu Empires," in the *Mod. Rev.*

⁸⁶ Smith's *Early History of India* (ed. 1914), 132.

⁸⁷ Law's *Hindu Polity*, Vol. I, pp. 117-121.

⁸⁸ Narada, I, 11, in Jolly's *Minor Law Books*.

spite of the centralizing ambitions and exploits of the *grand monarch*. "On the eve of the French Revolution" there were about "three hundred and sixty distinct bodies of law in force, sometimes throughout a whole province, sometimes in a much smaller area."¹¹ The administrative homogeneity of Moghul India was to no small extent brought about by the construction of roads which were maintained at a high level of excellence, both for commercial and military purposes. Tavernier, the French merchant, found travelling in India in the seventeenth century "more commodious than anything that had been invented for ease in France or Italy."

But communication, conveyance, transmission of messages, transfer of officers, etc., howsoever efficiently managed, could not by any means cope with the area and the population, except for short periods under masterful organizers. The "absolute limit" of imperialism was offered by the extent of territory and similar natural hindrances. Even the best conceived organs of unification could not, under the circumstances, permanently withstand the tendencies to centrifugal disruption. No political organism of a tolerably large size could therefore possibly endure, either in the East or the West. It is not a special vice of the Orient, as has been alleged, that the empires were ephemeral and that the kingdoms were in a "state of nature." Rather, on the basis of comparative history, it has to be admitted that, if the territorial limits and the duration of effective imperialism be carefully remembered, the oriental administrators would not yield the palm either to the Romans or to the Franks and the Hapsburgs who prolonged the continuity of the Augustan empire by "legal fiction."

A consolidated empire worthy the name, *i.e.*, one in which influences radiate from a common centre as the sun of the administrative system, could not be a normal phenomenon anywhere on earth before the era of steam and the industrial revolution. It is this fundamental influence of physics on politics, that, more than any other single cause, forced the ancient and medieval empires of the world to remain but bundles of states, loose conglomerations of almost independent nationalities, *staaten-bunden*, cemented with the dilutest mixture of political blood.

"Regional independence" was thus the very life and core of that system in Asia, as in Europe. It was the privilege into which the provincial governors, the *markgrafen*, the local chiefs, and the aldermen of rural communes were born. Their dependence on their immediate

¹¹ *Cambridge Modern History*, Vol. VIII, ch. II, p. 40.

superior consisted chiefly in the payment of annual tribute and in occasional military service. They had to be practically "let alone" in their own "platoons." Even the strongest "universal monarchs," such as Shi Hwang-ti, Han Wu-ti, Tang Tai-tsung, Manchu Kanghi, Chandragupta, Samudragupta, and Akbar, could not but have recourse to a general policy of *laissez faire*, specially in view of the fact that each of them had to administer a territory greater in size than the Napoleonic empire at its height.⁹⁰

(h) *Reform in the Comparative Method.*

No Guizot has yet attempted a history of popular institutions in the Orient. We do not know, age by age, and country by country, precisely to what extent the peoples actually participated in the work of government. Archaeological researches have not been extensive enough to supply the details of financial and administrative history. It is not possible, therefore, on the one hand, to appraise clearly the organizing capacity of the oriental statesmen and rulers and, on the other, to check accurately the democratic theories of the philosophers, with reference to the economic-political *milieu*. Studies in comparative politics must remain incomplete for a long time to come, for want of historical material from the Asian side bearing on the world's primitive and medieval institutions.

It is already clear, at any rate, that the nineteenth century generalization about the Orient as the land exclusively of despotism, and as the only home of despotism, must be abandoned by students of political science and sociology. It is high time, therefore, that comparative politics, so far as the parallel study of Asian and Eur.-American institutions and theories is considered, should be rescued from the elementary and, in many instances, unfair notions prevalent since the days of Maine and Max Muller, first, by a more intensive study of the Orient, and secondly, by a more honest presentation of occidental laws and constitutions, from Lycurgus and Solon to Frederick the Great and the successors of Louis XIV, that is, by a reform in the comparative method itself.⁹¹

⁹⁰ See the present author's "English History of India," in the *Political Science Quarterly* (December, 1919).

⁹¹ For which, *vide* the present author's "Futurism of Young Asia," in the *International Journal of Ethics* (July 1918), "Hindu View of Life" in the *Open Court* (August, 1919), "Oriental Culture in Modern Pedagogies," in the *School and Society* (April 14, 1917, New York), the "Influence of India on Western Civilization in Modern Times," in the *Journal of Race Development* (July, 1918), and "Americanization from the view point of Young Asia," in the *Journal of International Relations* (July, 1919).

SECTION 5.

THE DATE AND LOCALE OF *SUKRA-NĪTI*.

Oriental scholarship is only repeating the problems of the occidental. Shute's essay on the *History of the Process by which the Aristotelian writings arrived at their present form*,¹ has made us familiar with the idea that the "unity of style observable may belong quite as well to the school and the method as to the individual." For, we are told, that it is extremely doubtful "if we have ever got throughout a treatise in the exact words of Aristotle,"—all his treatises being supposed to be works of the Peripatetic School. And in Gomparz's *Greek Thinkers*² we know that, historically speaking, the Platonic question has not been less knotty than the Homeric.

The problem in regard to ancient India is in kind neither more nor less than that in classical studies. It repeats itself as much in the questions of date, authorship, and geographical surroundings as in those of school versus individual, re-arrangement of parts, chapters, verses, and lines, interpolations, suppressions, and what not. Probably, so far as the larger world is concerned, the *Mahābhārata* question has gained a wide celebrity, because of the great importance of this epic as the storehouse of Indo-Aryan culture.³ But the most interesting feature of indology consists in the fact that we have a veritable "Homeric question" in regard not only to the *Vedas* and the *epics*, but also to almost every name in the different branches of literature. And, of course, among the new discoveries, the problem of Bhāsa,⁴ the dramatist, is no more on the quick road to solution than the Kautilyans' question which, however, has been re-

¹ Oxford, 1888, p. 176.

² Translation from the German by G. Berry, London, 1905, Vol. II, pp. 275-287. See the historical treatment of the question of the authenticity of Plato's writings in Zeller's *Plato and the older Academy*.

³ See the resumé in *A Prospectus of a New and Critical Edition of the Mahābhārata* undertaken by Bhandarkar Oriental Research Institute, Poona (1919), pp. 21-24.

⁴ Re Bhāsa, see Jacobi in the *Internationale Monatschrift* (March, 1913), Jayaswal in the *Journal of the Asiatic Society of Bengal* (1913), D. R. Bhandarkar's *Ancient History etc.*, (1918) pp. 59-70; Levi's Introduction to Baston's French translation of *Vāsavadattā* (Paris, 1914), Barnett in the *I. R. A. S.* (1919). Vide also the *Mod. Rev.* (1913), pp. 386, 598.

⁵ On the authenticity of Kautilya, see Jacobi in the *Sitzungsberichte* (1912), or rather V. S. Sukthankar's English rendering of the same in the *Ind. Ant.* (1913), Mookerji's essay in *Law's Hindu Polity*, Vol. I (1914), Jolly-Jacobi controversy in the *Zeitschrift der Deutschen Morgenlandischen Gesellschaft* (1914), and Keith in the *I. R. A. S.* (1916). See also the Preface in Shamasastry's English translation.

ceiving greater attention. There is nothing exceptional, therefore, in the problem as to the epoch or epochs and locality or localities of the *nītisāra* attributed to Sukra.

We may begin with some fundamental considerations which must not be ignored. Machiavelli's *Prince* could not be the work of an Athenian of the Periclean age, just as *Germany and the Next War* could not have been written by a Bernhardt of Prussia previous to 1870. So also the Greek *Republic* and *Laws* could not be the outcome of a mediaeval Russian brain under Tartar domination, nor the labor laws of Lenin's proletarian democracy have a place in the *De Monarchia* of Dante. Notions like these are first postulates to the modern student of social phenomena, unless he chooses to ignore the conclusions of biology on the relations between the vital principle and the stimuli. Indology also can hardly afford to disregard these axiomatic truisms if it should care to avoid the pitfall of dogmatic assertions about the dates and *locales* of anonymous and undated works in Sanskrit, Prakrit and the vernaculars.

Following the lead of Rajendra Lal Mitra ⁶ and Prafulla Chandra Ray, Panchanan Neogi, in his *Iron in Ancient India*, ⁷ says, on the basis of the "frequent mention of guns and cannon," that *Sukranīti* "could not have existed in its present form before the sixteenth century;" as it is historically established that guns were first used in Indian warfare at Panipat in 1526, these having been introduced in Southern India, *viz.*, at Goa (c. 1510) by the Portuguese. In the *Modern Review* of February 1916, Jayaswal remarks, while reviewing Ramanathan's *Criminal Justice in Ancient India*, that *Sukranīti* "as we have it, is a product of the eighth century of the Christian era." In the same issue, Pradhan, writing on "Kingship in *Sukranīti*," concludes that the work must have been written some time before the fourth century A. D." Oppert, who edited the text of *Sukranīti* for the Madras Government in 1882, is well known to have been convinced about the authenticity of fire arms in ancient India. According to him, *Sukranīti*, containing, as it does, long passages about explosives and arms, ought therefore to have been a work of the pre-Christian era. As a matter of fact, distinguished orthodox *literati*, who possess greater command over Hindu tradition as recorded in Sanskrit literature

⁶ See the chapter on "The Hindus," in H. W. L. Hime's *Origin of Artillery* (London 1915), pp. 74-85, in which the opinions of Mitra and Ray are accepted as against that of Oppert.

⁷ Calcutta, 1914, pp. 82-88.

than any of our modern-educated Indian or Eur-American scholars, do believe that *Sukranîti* is, like so many other things in India, almost an "eternal" work—very ancient, of course—coeval, if not with the *Vedas*, at least with the *Mahâbhârata*.

It is apparent, however, that those who have advanced definite views, have depended upon single passages. Now, if the time-values of individual verses have to be admitted, the following conclusions must arrest the attention of anybody who has followed the arguments in Vol. I. of the present book :

1. "Literary history proves the *Sukra flora* to be pre-Islamic (there is evidently a printing mistake here, 'pre' having been dropped) and does not prevent it from being at least as old as Charaka. * * The *Sukra flora* may be placed at any period between the sixth century-B. C. and twelfth century A. C. And if the incorporation and adaptation from Varâha Mihira be admitted, both the *Sukra flora* and the *Sukra authors* (at any rate, the Eastern copyists of *Sukranîti*) have to be placed after the sixth century A. C." ⁸

2. "The mineralogical section of *Sukranîti* thus yields two furthest limits of chronology : (i) the tenth century furnished by the doctrine of nine gems, and (ii) the fourteenth century furnished by the doctrine of seven metals." ⁹

This latter limit is furnished by the mention of zinc ¹⁰ as the seventh metal, the date of which has been discussed by Prafulla Chandra Ray in his *History of Hindu Chemistry*.

3. "The pre-condition for fixing the precise ethnology of Yavanas, therefore, is the exact date of *Sukranîti* which, for a long time yet, is sure to be begging the question." ¹¹

4. "The Yavanas and Mlechchhas have been different peoples in different periods; * * and, until and unless the date of *Sukranîti* is fixed, it is impossible to identify the tribes mentioned by the poets of the *Sukra cycle*. * * * Or, perhaps in these lines, we have a clue to the date of the work, or, at any rate, of certain portions of it." ¹²

5. "As one of the most justifiable grounds for war (*casus belli*), according to the principles of international law advocated by

⁸ Ed. 1914, pp. 160-161, 177.

⁹ P. 114-115.

¹⁰ *Ibid*, p. 88.

¹¹ *Ibid*, pp. 23, 55.

¹² p. 56.

Sukrâchâryya, we read what may be compared with the cry of Sivaji, the Great Hindu monarch of the seventeenth century: 'There are no rules about the proper time or opportune season for warfare in cases created by the killing of cows (IV, vii, 453), women, and Brahmanas.' * It may be possible to find out the age of *Sukranîti* from the history of this doctrine of the divinity and inviolability of the cow as a corner stone of Hindu socio-religious system. The work must be attributed to a period not preceding the advent of the Mussalmans with their alien creed."¹³

The analysis of "internal evidences" is not yet complete. The doctrines of *Sukranîti*, in regard to arts, sciences, morals, economics, constitution, finance, jurisprudence and international law remain to be attacked. The data available from these studies are likely to yield fresh evidences regarding the time of its composition or compilation and the place where the author or authors lived.

Two considerations may be set forth at once. The first is that bearing on the time-value of the doctrine of thirty-two *vidyâs*¹⁴ and sixty-four *kalâs*. *Prima facie*, it bespeaks a late insertion, because the idea does not occur in the earlier phases of the history of the Hindu classification of the sciences.

The second consideration is that relating to the army organization. In the *Sukranîti* we are taught (IV, vii, 41) that the proper proportion of the infantry to the cavalry is as 4 : 1. Now, in the few details we have regarding the figures of the Hindu general staff,¹⁵ we never come across this ratio. But, curiously enough, this is the exact proportion advocated and established by Napoleon.¹⁶ And, surely, it would be quite legitimate for a sceptic to advance the view that if fire-arms came to India from Portugal, at least some military ideas were imbibed by

¹³ P. 259. As all these extracts are taken *verbatim* from Vol. I, of the present book, one wonders as to how Neogi has discovered (p. 34) that I was laboring "in vain to explain away the arguments," or that I was eager to "establish the antiquity" of the Sukra cycle.

¹⁴ In the Kautilyan tradition which is maintained at least down to Kâmandaka, the sciences are grouped as a body of four or the *quadrivium*. In Kalidasa's *Raghuvamśa* (Canto V), the number of sciences is known to be fourteen. Manu (VII, 43) has five, Mallinatha (fourteenth cent.) in his commentary on *Naiṣadh-charita* (I, 5) mentions eighteen, and quotes Manu for fourteen in the commentary on *Raghu* (V, 21). The earliest mention of sixtyfour *kalâs* seems to be that in the *Mahābhārata* (XIII, 1334). For all this, see Bohtlingk and Roth's *Sanskrit-Wörterbuch* (under *kalâ* and *vidyâ*.) The history of the Hindu classification of the sciences needs a monograph to itself.

¹⁵ See the present author's "War-office of Hindu Empires," in the *Mod. Rev.*

¹⁶ E. A. Altham's *Principles of War* (London), Vol. I, p. 43.

the Indians from France of the revolutionary and Napoleonic era, *e.g.*, by the Marâthâs of Gwalior, from Commandant DeBoigne or by the people of Hyderabad under the discipline of General Raymond's system. Nay, who knows if an ally and friend of Napoleon like the *citoyen* Tipou of Mysore (c 1798), albeit a Moslem, but by all means an eclectic and pro-Hindu like Akbar the Great, were not responsible for the final form of the text in which Sukra came into the hands of Oppert and Rajendra Lal Mitra? For, not unlike the Japanese of to-day, the Hindus of yesterday may be credited with having been well up in the art of "assimilating" new ideas and thereby enriching the old.

These are only a few of the considerations that merit careful scrutiny for a satisfactory solution of the Sukra question. It need be clearly understood, moreover, that the problem of place is as important as the problem of time,—especially with regard to treatises of the *nîti-sâstra* class, which are works, partly descriptive, historical, and partly also normative-Utopian, on economics, politics, and international relations. It is obvious that a statute-book, or penal code or gazetteer, compiled under the auspices of a Maratha vicé-royalty in the Deccan or Southern India, could not be the same as that of Samudragupta, the Indian Napoleon's executive council at Pataliputra. The "relativity" of *nîti-sâstras*, whether considered as documents of *Realpolitik* or as more or less idealistic works, must have to be a postulate in indology as a deduction from the principles on which the present study is based.

The *locale* of *Sukranîti* has been discussed in several chapters of Vol. I. The main findings are recorded below :—

1. "The study of the directions and divisions of India, mentioned in the *Sukranîti*, leads to a textative hypothesis as to the home of the authors of the Sukra cycle. * * * and this is the Eastern."¹¹

2. "Hence, by a process of elimination, we get the northern (as well as eastern) moist region, together with a neighbouring arid region, *e.g.*, Eastern Rajputana, as the natural habitat of the Sukra flora. * * *

The Sukra flora thus represents the Upper Gangetic Plain, Himalayan regions as well as the humid deltaic and littoral sections of Eastern India."¹²

3. "The camels are to be seen wherever there are people rich enough to need and have a demand for them. The mention of camels

¹¹. P. 27.

¹². Pp. 152, 160, 175.

and existence of camel-corps, therefore, do not necessarily point to the natural habitat of these animals."¹⁹

4. "Just as in the case of minerals we could not come to any reasonable conclusion as to the authors of the Sukra cycle, so here also we have to confess inability to point to any geographical environment which might leave its stamp on the work."²⁰

Evidently, there are other considerations, *e.g.*, those from the angle of constitutional studies which have to be weighed. While it is not convenient for the present to go into the subject exhaustively, it may be appropriate to touch once more the question of methodology. "In the first place," as was stated in Vol I,²¹ "the political history of India has to be ransacked so as to give more or less complete pictures of the administrative machinery and economic organizations of the various empires and kingdoms of the Hindu world." And, "in the second place, the whole field of Indian literature, both Sanskrit and vernacular, has to be ransacked wide and deep, in order to discover socio-political and socio-economic treatises, and their contents minutely analyzed and elaborately indexed in the interest of comparative studies."

In regard to the first point, the following observations will indicate how poor, notwithstanding the work done since the above was written in 1914, indology still is, in military, political, administrative, economic and fiscal history, so far as Hindu India is concerned :—

1. Samudragupta, as Vincent Smith states, was "unknown even by name to the historians," until the publication of his book in 1905.

2. The achievements of the Pāla and Sena Emperors of Bengal were matters of idle gossip until Ramā Prasād Chanda's somewhat audacious statement of the case in the Bengali work, *Gauda-Rāja-mālā* (1911), which was followed by Rakhal Das Banerji's *Memoir on the Pālas of Bengal* (1915).

3. Among the new facts incorporated in the third edition (1914) of Smith's history, on the strength of the proof-sheets of Banerji's *Memoir*, we read that "Dharma-pāla and Devapāla succeeded in making Bengal one of the great powers of India," and (ii) that the Gurjara-Pratihāras of Kanauj also were real empire-builders.

4. In *Bānglār Itihāsa*, Vol. I. ("History of Bengal," 1915), by Banerji, we have come to know of another empire-builder, Chandra-

¹⁹. Pp 244-245.

²⁰. P. 245.

²¹. Pp. 16-17.

varman of Rajputna, in the fourth century. He was a contemporary of Samudragupta; it is his name that remains inscribed on the Iron Pillar at Delhi.

5. Again, it is only so late as 1918 that the subject of Hindu republics has received the first monographic treatment in the hands of Majumdar.

In these and other instances, whether monarchical or non-monarchical, our information is confined mostly to names. As a rule, wealth of detail is conspicuous by absence. The institutional studies of Aiyangar, Jayaswal, Law, Mookerji, Banerjea, Majumdar, and D. R. Bhandarkar are brilliant as path-finders. But no comprehensive attempt has yet been made to approach the inscriptions from the standpoint of constitution and law, public or private. The present knowledge about India's constitutional development is too meagre to enable anybody to locate any treatise on *nīti* in one or other of the epochs of government.

The problem may be stated in two questions. First, were the authors of the Sukra cycle, whether state officials or private scholars, men of Pataliputra, Kanauj, Gauda, Vijayanagara, or Poona? Secondly, was *Sukranīti* compiled under the Guptas, Cholas, Gurjara-Pratihāras or Pālas during the incumbency of one or other of the Hindu Napoleons and Frederick the Greats? Until and unless a satisfactory answer to such queries can be offered, the dates hazarded on the strength of single passages or sections are philosophically of hardly any significance. We must be in a position to indicate the nexus of *necessity* or historic causality between the doctrines of the treatise and the date (and *locale*) suggested. The work must have to be explained, in short, as psychologically related to the cultural perspective and constitutional *milieu*.²²

If it is allowable to make any rash statements without a searching investigation, it may be mentioned that the technical terms in *Sukranīti* do not appear to fit in well with those used in the Pāla and Sena inscriptions. Nor does the treatise seem to be a product of Tamil politics. We know very little about the Gupta, Vardhana, Rastrakuta, and Chalukya administrative systems. The fragmentary details in the itineraries of the Chinese pilgrims do not afford much circumstantial evidence by which the works of Kāmandaka or Sukra could logically be interpreted as investigations of the period from the fifth to the seventh century.

²² Majumdar pp. 106-108) suggests that sec. cvii of the *Sāntiparva* of the *Mahābhārata* was conditioned by the politics of the post-Kautilyan (post-Mauryan) *gaṇas* (republics),—a significant hint.

Anybody who is familiar with the historical style of the Chinese philosophers will have reasons to feel, we may remark *en passant*, that learned doctors of the standing of Hiuen Tshang were, in many instances, studying Hindu culture "through Chinese eyes." The India that was presented by them to their countrymen was, therefore, greatly colored by their traditional Confucian²² ideas. And further, howsoever reliable these reports may be in regard to objective facts, *e.g.*, the distances, buildings, roads, and so forth, their descriptions of India's finance, war office, municipal administration, or judicial system, cannot possess much historical value, specially because the business of these scholars was anything but political. The fundamental difference between Megasthenes, the ambassador, and the Chinese missionaries of culture must be borne in mind.

In regard to the second condition laid down above, it has to be observed that, just a few years ago, the political writings of the Hindus were supposed to be those found in the book of Manu and in the *Śāntiparva* of the *Mahābhārata*. It was indeed the custom, even among Indians themselves, to treat the Hindu genius in the past as thoroughly unpolitical, un-economic, un-military, in other words, un-secular. But recent scholarship has gone far to establish that the alleged pessimism and other-worldlyism of the Buddhist and Vedantist philosophers, their doctrines of *ahimsā* (non-killing) non-resistance, self-surrender, *etc.*, were platitudes, in which neither the Sākīyas, Videhas, Yandheyas, Mālavas and other republican *gaṇas*, nor the Mauryas, Kusāns, Guptas, Gurjara-Pratihāras, Pālas, Cholas or Marāthās ever cared to indulge, and that it is alongside of democratic upheavals, regicides, empire-building, Alexandrine *digvijaya* (conquest of the quarters), *pax sāvā-bhaumica*, extra-Indian commercial enterprise, and all-round expansion of life that the over-advertized theories of subjective metaphysicians should be interpreted and appraised.

But, for the present, it has to be admitted that, although the investigation of Hindu political and economic literature has begun in right earnest, a really philosophical study, *i.e.*, the analysis of doctrines, is yet unknown. The problems of sovereignty, authority, justice, law, contract, obedience, resistance, and such categories of political relations, remain wholly to be examined on the basis of the concepts, with which the *nīti* literature makes us familiar. It is only when the tenets or doctrinal contents of these treatises on polity have been exhibited

²² As an instance of Hiuen Tshang's reading conventional Chinese sentiments into Indian mores, see the account of the election of his imperial patron, Harsa-Vardhana, in Beal's *Si-yu-ki*, Vol. I, pp. 210-211.

in their psychological bearings that a genuine historical treatment of *nītisāstra* would be possible and worth while.

It will then be time for students of comparative chronology to assign texts to times and *locales*, by "checking" the conclusions of literary history with the findings of epigraphy, numismatics and general archaeology. The disentanglement of the different sections of *Sukra-nīti* from one another, according to the time-value and place-value of its theories or institutions, will then follow as a matter of course,—perhaps on the lines indicated in Shute's *Essay* in regard to the probable development of Aristotle's *Politics*.

CHAPTER II.

THE ECONOMIC FOUNDATIONS OF THE STATE.

SECTION 1.

Materialistic Interpretation in Asian Philosophy.

Karl Marx's *Das Kapital* is usually described as the Bible of the proletariat. But Croce, in his *Historical Materialism and the Economics of Karl Marx*¹ calls him the Machiavelli of the labor movement. The reason is obvious; for, if the Florentine diplomat was pre-eminently the first among the theorists on the state to make short cuts with the "pious wishes" of idealists and confine his attention to the analysis of *Realpolitik*, the German socialist, albeit a Hegelian, was the first to penetrate to what "society is in its actual truth." The "brass tags" of social institutions are to be found, says Marx, in their economic background.

This Marxian emphasis on economics, if not as the sole key to human civilization, at any rate, as a powerful agent in social evolution, brings out the truth that the foundations of history are the methods of production. These are the conditions which give rise to class distinctions, to the constitution of rank and of law, and to those beliefs which make up social and moral customs and sentiments, the reflection whereof is found in art, science and religion.

Propositions like these, which may be taken for what they are worth, are the characteristic generalizations of modern and contemporary social philosophy.² But yet it is interesting to observe that, like the social contract theory, the organismic theory, and other theories of recent times, the theory of "economic determinism," "historical materialism," or the "economic interpretation of history," has been traced by evolutionists through medieval forerunners "back to Aristotle." There is no reason why archæologists and antiquarians should not find its germs, if they so desire, even in the *Works and Days* of the hoary Hesiod.

In these efforts of historical scholarship to discover the fathers and great-great-grandfathers of Karl Marx, all that can be demonstrated, however,

¹ Translated by C. M. Meredith (N. Y., 1914), pp. 14-20, 118.

² Cf. E. R. A. Seligman's *Economic Interpretation of History* (N. Y.). In H. E. Barnes' "Sociology before Comte," in the *American Journal of Sociology* (September, 1917), one may see some of the alleged "anticipations" of characteristically modern doctrines.

is not that Marxianism, in its typical features, was anticipated by any of the "materialists" of the previous ages, but merely that sociology and philosophy of history were not devoid of an economic consciousness. If we apply the same methodology to Oriental lore, we shall find that, among such predecessors of the founder of an economic interpretation, the number of Asians is not negligible. China² can offer the economic teachings of Confucius and his disciples down to Wang Tang-ming, Islam can contribute such names³ as Farabi, Mawardi, Nizam-ul-Moulk and Ibn Khaldoun, and India can bring forward its materialistic stands of thought exhibited in the *dharma* and *nīti* or *artha* and *vārtta* philosophy.⁴

The physical basis of *saṁītha*, or collective life, is postulated by Hindu theorists in the very conception of the state as a seven-limbed or *saptāṅga* organism. Two of the seven elements in the body politic are, as we have seen, *rāṣṭra* (territory and people) and *koṣṭi* (finance). It is the function of political philosophy to investigate these phenomena in their bearing on man's corporate existence. There can be no *nītiśāstra* or *dandanīti* which does not address itself to the territorial, demographic and financial problems of social groups. The economic foundations of the state have therefore received an adequate attention at the hands of all theorists from Kautilya to Śukra.

SECTION 2.

THE TERRITORY.

It is in terms of *deśa* or country, and not in terms of the tribe or race (*i.e.*, the people), that the state or political association is conceived in *nīti* philosophy. This territorial concept of the nation is fundamentally distinct from the idea of the social group to be found in Homeric, Tacitean (Germanic) and Vedic thought which is primarily ethnical. Nor does *nīti* theory approach in any sense the so-called cultural, but strictly speaking the linguistic, basis of modern nationalism which has found its advocates in Europe from Mazzini to Lenin. The limits of the nation in *Śukranīti* or in *Arthaśāstra* are not defined by the boundaries of race, tribe, language, or culture.

² H. Chen's *Economic Principles of Confucius and his School* (N. Y., 1911).

³ Vide M. G. de Slane's French translation, entitled *Prolegomenes Historiques*, which forms Vols. XIX, Pt. 1, XX, Pt. 1, and XXI, Pt. 1 of *Notices et Extraits des Manuscrits de la Bibliothèque Impériale* (Paris, 1862, 1895, 1868). Section III of the treatise deals with the topics discussed here. Cf. T. Hussein's *Philosophie Sociale d'Ibn Khaldoun* (Paris, 1917).

⁴ Vide Law's "*Vārttā—the Ancient Hindu Economics*," in the *Indian Antiquary* (1918).
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Śukra's nationality is thus the nationality of the Roman lawyers and Church fathers, of Aquinas, Bartolus and Bodin. And, accordingly, we do not notice in it any notion as to the "proper" size of the territory, or, in other words, as to the maximum number of citizens desirable in a state, with which the Hellenic theory of nationality makes us familiar. In speaking of the nation, *nîti* writers do not then refer to the people in the plural number; they mention the land, the country, the geographical expression in the singular. In the next place, their political association is a country-state, and not a mere village or town. And, thirdly, the state of *danda-nîti* is multi-racial and polyglot. They did not come to comprehend the principle, "One language, one state." The theory of *svarâja* or self-determination, as they conceived it, was competent enough to harmonize, in a truly mediæval or perhaps all-too modern fashion, the heterogeneity of a people's interests with the unity of the statal organization.

(a) *The Hinterland.*

Râstra, as defined in *Śukranîti*, comprises both "immovable" and "movable" things (IV, iii, 2). The territorial possessions of the nation including the lands, forests and mines constitute the immovable *râstra*, and the human factor the movable. And, for general purposes, the territory is divided into two parts: (1) the hinterland, the *mofussil*, the interior, or the country districts, *i.e.*, the rural area, known usually as *janapada*, although in the Kautilyan *śâstra* the same term is used as a synonym for Śukra's *râstra*, and (2) the metropolis or capital, usually called *râja-dhânî*, but very often simply *pura*, *nagara*, or *pattana*, or even *durga* (fort).

So far as the hinterland is concerned, Śukra (I, 425-428) would recommend an area which is rich in the wealth of trees, plants and shrubs. The resources of the animal world should also be plentiful. The land is to be rich in cattle, birds and other game. The statesman should see to it that the country offers splendid agricultural facilities as well. The sources of water and the supplies of grains must therefore have to be quite helpful. The network of rivers and waterways is suggested as a matter of course. Nor must fodder and fuel, "the grasses and the woods," be neglected while state-making is projected in a certain locality. The hills with their mineral and forest produce are also to be reckoned among its attractions, if a territory is to be considered suitable for a nation contemplating "a local habitation and a name."

And, lastly, the area must naturally be adapted to commerce by rivers. There is to be communication with the sea. The boats must be plying up and down, so that the place may be quite brisk with the movements of the river craft.

Of course, not all areas on the earth's surface are provided with such ideal contributions of physiography, and not all capital cities in the world's history have enjoyed in their *mofussil* tracts the gifts of hills rivers, seas, and forests in the manner described here. But it is duly to be noted that, like Plato, Aquinas, More and others, Śukra has here tried to indicate those geographical conditions,¹ which, other circumstances remaining the same, are likely to further best the political welfare of a people, or, at any rate, their economic self-sufficiency.

For administrative purposes, the *janapada* is to be divided into *grāmas* (villages).² A *grāma*, according to Śukra (I, 385-386), is a piece of territory whose area is a *croś* (25,000,000 square cubits in Brahmā's calculation), or a little above two miles, and whose yield is 1,000 silver *karṣa* (=shilling, at the pre-War rate of exchange), *i. e.*, about 250 dollars. The half of a *grāma* is known as *pallī*, the half of a *pallī* as *kumbha*. One-twelfth of the income from the *grāma* is to be the salary of the *grāmapa*, the village officer (I, 631; IV, ii, 251.)

The planting of trees is an important item in Śukra's plan of *grāma*-formation. And, accordingly, he devotes some space to the question of forestry and arboriculture (IV, iv, 91-129).

(b) *The Capital.*

The seat of the central government, the *rāja-dhānī*, is to be "not very far from the hills," says Śukra. But the site must be an "even grounded and picturesque plain." The shape may be that of the half-moon, a circle or a square. It must be protected by walls and ditches. And it must be large enough to be divided into *grāmas*, *i. e.*, wards or sections. The *sabhā* or council buildings are to be located in the centre. The city is to be provided with at least four gates in four directions. Wells, tanks and pools are to be constructed in different wards, and roads as well as parks to be laid out in rows. The parallel lines of streets and parks seem to have been quite a popular idea, since in Vālmiki's *Rāmāyana*, the city of Ayodhyā is constructed on this plan.

1. Kautilya's ideas may be seen in the *Arthasāstra*, Bk. VI, ch. I.

2. Cf. Kautilya, II, I.

It is to be dotted over, besides, with taverns, temples, and travellers inns (I, 429-433).³ Altogether, we have in *Śukranīti* the conception, of an extensive capital.

In regard to buildings, Śukra, as we have just noticed, provides for the *sabdhā* or council-house in the centre of the city (I, 431, 484-499), and the palace in the midst of the council buildings (I, 435-453). The court and the *śilpa-śālā* or hall of arts are two separate establishments, to be located to the north of the palace (I, 455). To the north, likewise, or to the east, are given the sites for the dwellings of the ministers, councillors, clerks and officers (I, 500-501). Śukra places the military barracks towards the north or towards the east, and follows a certain order in the allocation of space (I, 506-512). The people's houses are distributed in all directions, according to "wealth and birth" (I, 504-505). In the market place, stalls are to be arranged according to the classes of commodities (I, 516).⁴

Śukra's details are quite full in regard to some of these edifices, public and private. He recommends definite measurements in certain instances. About the rest-houses for travellers, we are told that these are to be built strong and provided with tanks. The rooms of the houses are to be uniform and in a row. They may face the north or the east (I, 513-515). The city well is to be uniformly deep, and should have its foundation one-half or one-third of its height. It is to be half as wide as high (I, 474-475). The width of the ditch is to be double its depth (I, 480). The wall, moreover, is to be provided with *nālikāstra*, i.e., guns (I, 477) and with a system of well-built windows. And should it happen to be unprotected by a hill, the city is to be strengthened by a second wall which is lower than the main one in height (I, 478-479). Among the works of useful magnificence noted by Śukra, none seem to be more important than the temples, and his treatment of temple architecture and sculpture is one of the most exhaustive in Sanskrit literature, comparable to that on painting in *chitralakṣaṇa* in the Tibetan Tanjur collection (IV, iv, 132-412).

The fixtures and important articles of furniture are also particularized. The council-house is to be furnished with pumps or water spray, musical instruments, fans for distributing air, clocks for indicating time, mirrors, and paintings (I, 496-498). Similarly, in

³. Bhoja's town-planning is different. Vide *Yukti kalpa-taru*, verses 145-154.

⁴. Cf. *Yukti*, 158-167, for ideas in regard to the distribution of buildings on a city-map. See also Kautilya, II, iv.

connection with the palace, we are told of mechanical instruments, pumps, spouts or other devices for raising and distributing water (*jala-yantra*), or, otherwise decorating the gardens as ornamental tricks (I, 436). The reference to pumps, clocks and other instrumental appliances as well as to *nālikāstra* (guns) should indicate the age of these lines within approximate limits, were we in a position to define exactly the kind of instruments intended by the author.

(c) *The Arteries of Communication*

Communication between the *pura* and the *janapada* has to be maintained by well-built roads. And these should be protected for the comfort and convenience of travellers. Those who molest the travellers have, accordingly, to be carefully repressed (I, 629-630). The village police, for instance, will have to visit the rural lanes (*bīthi*) every half *yāma* or hour and a half (I, 585-586) at night. And, in order that the roads may be maintained in good condition, it is suggested also that the sentinel should examine every egress out of and entry into a village (I, 582-583). The physical condition of the roads must not be neglected. Annual repairs are to be undertaken. Prisoners and bad characters might be inducted to do the work (I, 536-537 ; IV, i, 216, 230). There is, besides, to be a road-cess as an item of public revenues (IV, ii, 258).

An important link in the chain between the city and the country districts is the series of inns or *serais*. One such rest-house for the convenience of traders and travellers should be built between every two *grāmas* (I, 538-539). And these are to be under the administration of the village authorities. In the interest of public order, the guests at the rest-house will have to submit to all sorts of queries (I, 541-549). If they carry arms, these will have to be delivered to the master of the establishment for the night, but will be returned to the owner at day-break. The rest-houses may be regarded really as police booths, and the proprietor more an officer of the government than a private hotel-keeper. In any event, the roads being thus punctuated with centres of police vigilance may be expected to be safe for the honest citizen.

Roads are to be of different kinds, varying in width.⁵ The *grāma* may have a *padyā* (foot-path), which is three cubits wide, and a *bīthi*, which is five cubits wide (I, 523). But such narrow lanes are not to be constructed in the city (I, 527). The narrowest street in the city is to be

⁵ Cf. Kautilyan roads in Bk. II, ch. IV.

ten cubits wide. It is known as *mârga*. Such *mârgas* may be constructed in the *grâma* also (I, 523, 530). All these roads (*padyâ*, *bîthi* and *mârga*) should emanate from the centre of the *grâma* or the *pura*, as the case may be, towards the north, south, east and west (I, 525).

The widest roads are known as *râja-mârga* ("king's highway"). These are of three orders, 15 cubits, 20 cubits or 30 cubits in width (I, 520), but may be built anywhere, *i.e.*, both in town and country. In the capital, the *râja-mârga* is to emanate from the palace in all directions (I, 519). It is suggested that in a forest of six *yojanas* (*i.e.*, about fortyeight miles) the thirty cubit, *râja-mârga* is a necessity, but the width of the road may be reduced according as the forest is less extensive (I, 528-529).

Śukra has certain ideas in regard to road-engineering (I, 531-535). The roads are to be made like the back of a tortoise, *i.e.*, high in the middle, and provided with sewers on either side for the drainage of water. Bridges also are to be constructed wherever necessary. The houses in town or country should have their front side on the road, the backyard being relegated to the disposal of nuisance, garbage, and so forth.

The durability of roads is suggested by the fact that *râja mârgas* are intended for the conveyance of marketable commodities (I, 522) and that gravel is to be used while repairing them (I, 536).

The history of road-making in India should offer some suggestions in regard to the probable date by which these notions of material life may have become possible.⁶

SECTION 3.

WEALTH AND PROPERTY.

The social significance of the distinction between riches and poverty is well-known to Śukra. In a wealthy man, even defects are appraised as merits, says he, while even the merits of a poor man are treated as defects (III, 370-371). Do we not often see really meritorious people having to dance attendance on men of wealth as mere menials (III, 369)? Nay, through poverty, talent is compelled to prostitute itself and people have to become slaves of others (III 375). Further, the man without wealth is likely to be deserted by wife and children (III, 363). And of course poverty leads to lunacy, suicide, and what not (III, 372-374).

⁶. For some of the parallels and contrasts bearing on the territorial (and demographic) aspects of the state, *vide* Plato's *Laws*, IV, V, Aristotle's *Politics*, I, VII, Aquinas (in Little John, pp. 92-98), Ibn Khaldoun, IV, V, Bodin, V, I, More, II.

The relations between the rich and the poor have in all ages produced two evil consequences in social order as thus exhibited in *Śukranīti*. First, there ensues an exploitation of the poor, howsoever talented, by the rich, howsoever worthless. And, in the second place, the world witnesses a wholesale demoralization and dehumanization of the poorer classes. But, although Śukra is painfully conscious of this eternal problem of the human race, he is not prompted to write a More's *Utopia*, in order to declare that "until property be taken away, there can be no equitable or just distribution of things, nor can the world be happily governed,"—a message of absolute communism which, probably attempted by Louis Blanc in 1848, is to-day being realized in part in the proletarian democracy of Bolshevik Russia, under the inspiration of the contemporary theory of "class-struggle." Śukra might have utilized the economic indifferentism of the monkish philosophies adumbrated by certain sections of Buddhist thought, as Plato laid under contribution the notions of the Cynics, if he had wished to advocate the abolition of private property. But, no, he becomes a champion of property with a vengeance. It will not be possible for a Pohlmann of the Orient to write a *Geschichte des antiken Kommunismus und Sozialismus*, in order to exhibit the communistic or socialistic trends of *nīti*, *artha* or *danda* philosophy. Anti-propertyism may be detected in some of the metaphysical strands of Indian thought, but it is the furthest removed from the economic conception of the political and social philosophers whose *śāstras* have come to light until now.

(a) *The Earnings of an Economic Animal.*

The first postulate of Śukra's social philosophy rather is that "man is the slave of wealth, not wealth of anybody; and that, accordingly, one should always carefully labor for wealth, because it is with wealth that duties can be performed, worldly enjoyments assured, and salvation earned" (IV. 77-79). And this *sādhanā*, i. e., *Streben* or striving for wealth, is not to be intermittent or by fits and starts. The motive of this pursuit is supplied by man's prospectiveness, i. e., eye towards the future. "I am to live for one hundred years and must enjoy life with the ease that wealth can command,"—such is the optimistic attitude that *Śukranīti* recommends for the "sons of Adam" (III, 356-359). The all-important question then is: How is wealth to be acquired? The means of livelihood are manifold, as Śukra's various lists would indicate. But, in one instance, he suggests eight "good ways and means." These may be enumerated as (1) the learned professions, e. g., teaching, etc., (2)

government service, (3) the military profession, (4) farming, (5) banking, usury, etc, (6) commerce, retail trade, store keeping, and so forth, (7) arts and crafts, and (8) the beggar's profession (III. 364-367). It has to be observed, however, that begging is not honorable, except in the life of ascetics, hermits and forest-dwelling monks (III, 554).

Śukra does not leave these occupations entirely to the judgment of the reader, for he furnishes his own estimate in regard to their social importance and income. Government service is, according to him, a good occupation (III, 555). He is not unaware that service of kings is very intricate and cannot be satisfactorily discharged except by the discreet people. Government service is, indeed, compared to the religious ceremony of *asidhârâ*, in which a sword is placed between the husband and the wife, and is thereby suggested to be dangerous and difficult (III, 559-560). The occupation of the priest is considered to be quite lucrative, probably on a par with public service (III, 556). Agriculture, which is said to have "rivers for mothers," is of course a good occupation (III, 552). Nay, anticipating the theory of the eighteenth century, "physiocrats" Śukra is prepared to assert that "land is the source of all wealth" and that "it is for land that kings can lay down even their lives" (I, 357-358). Again, "wealth and life are preserved by men for enjoyment. But what avails a man to have these if he has not protected the land?" (I, 359-360). And, therefore, although *Śukranîti* recommends commerce as a good means of livelihood and would confer judicial and legislative sovereignty on commercial "group-persons" like *śrenîs* and *ganas*, we are not surprised to find in it the statement that "commerce is useless" (III, 557). Are we to understand simply that it is less remunerative than the occupation of the priest or government service? Or, shall we take it to imply that commerce is not "productive" in the genuine physiocratic sense, according to which agriculture is the only productive pursuit of mankind? In any event, the modern mind need not feel rudely shocked by such a notion coming from the Hindu world, only if it cares to orient itself to the theories of "unproductive" labor in the history of European economics, from Aristotle to John Stuart Mill.

The moral of Śukra's *chrematistike*, then, is that one should "acquire wealth by grains," as one ought to pursue learning by moments (III, 352-353). In other words, a penny saved is a penny won. The acquisition is to be a steady and daily function, albeit only in paltry sums. And, since the distinction between *meum* and *teum* is essential in

Śukra's scheme of social polity, loan transactions, banking, laws of debt, etc., occupy an important place in *Śukranīti* III (380—386, 400-401, 406-407 ; II, 623-624 V, 192-193). And a worldly-wise advice is given to the effect that the shrewd man should not desire wealth, *e.g.*, by way of loan, of the person whose friendship he wishes to cultivate (III, 402).

(b) *Right to Utilities.*

Juridically speaking, therefore, a command over wealth or the utilities and values, *i.e.*, right to property, is the prime concern of man as a member of the organized society. The development of proprietary consciousness, on which Śukra's social organization is based, leads him automatically to analyze man's relation to wealth in corresponding legal terms. According to him, "an income denotes the bringing of gold, cattle, grains, etc., under one's possession, in periods of years, months or days" (II, 645—646). Expenditure, or consumption, is naturally the reverse side of income. With it is consummated "the transfer of property," or the "giving away of possession," to others (III, 647). And this legal, or for that matter, logical division, is relevant as much in the domestic economy of an individual as in the housekeeping of states.

Command over utilities may imply three different things, says Śukra (II, 650-651). First, the utilities may not be the full property of the party that happens to command them for the time being. These may have been placed with it by others as *aupanidhya*, *i.e.*, pawn or security, and will have to be returned to the proprietors some day. Or, these may have come into one's possession as *yāchita* wealth, *i.e.*, through begging, for instance, some ornaments, for the usufruct of which no interest has to be paid. Or, again, the utilities are but *auttamāṇika* wealth, *i.e.*, the values raised by loan, in consideration of some interest (II, 652-655). In the case of all these three classes of, *āya* or income—the proprietary rights are *nīśchitānya-svāmika*, *i.e.*, known definitely to be belonging to others.

The second relation in which a party may stand in regard to the command over values, arises when one happens to pick up gems and jewels in streets and public places. In these instances, the wealth is *ajñāta-svāmika*, *i.e.*, its actual proprietors are unknown.

The third form of possession is that of complete and unobstructed proprietary right. Such command over values, known as *sva-svātva* or one's own property, may accrue in two different ways, according to

Śukranīti, (II, 658). The one mode is described as *sāhajika*, i.e., natural or normal, and the other as *adhika*, i.e., additional, or wealth by increment (?). It is the nature of the former to "grow regularly by days, months or years" (II, 659-661). It embraces practically all forms of wealth, excepting a few enumerated as belonging to the other division. And these latter are known to be profits of sale, interest, fees or wealth realized by services rendered, rewards, salary or remuneration, booty realized by conquest, and so forth. This group of six items (II, 662-664) should be called quasi-economic receipts or semi-private revenues, in the language of public finance. It is apparent that the distinction between Śukra's *sāhajika* and *adhika* cannot be treated as identical with that between the "natural" and the "unnatural" modes of acquisition in Aristotelian economics.

Whatever be the *mode* of acquisition, or the manner in which command over "one's own property" happens to be exercised, i.e., whether "normal" or "incremental," the *form* of values over which the *sva-svatva* right can be exercised by a party is conceived again as two-fold. That is, each of the *sāhajika* and *adhika* categories can manifest itself in two forms. In Śukra's dichotomy, the one form of *sva-svatva* is *pārthiva*, i.e., terrestrial or territorial, and the other *a-pārthiva* or non-terrestrial. The two contradictories embrace within them the whole sphere of utilities or values (II, 666-667).

The territorial incomes are classified by Śukra according to the sources of yield. These may be natural waters, artificial waters, villages and cities (II, 668-670). And the non-territorials are the duties, fines, royalties on mines, presents and contributions (II, 671-672).

Evidently, Śukra is here analyzing the items of income in regard to a state, and not in regard to a private individual. It is therefore appropriate to point out that if *adhika* is to be taken to denote an "increase or profits" from business, etc., of the *saptāṅga* organism considered in its economic aspects as a property-owning, industry-managing, capital-employing institution or otherwise, the *sāhajika* income should be treated as equivalent to the revenues realized by the state in its "normal" functions, i.e., as a political *saṁūha* or corporation [*vide* section 10 (e) and (f)].

While discussing this enumeration of utilities and the command of proprietary jurisdiction that can be enjoyed over them, one must not lose sight of two considerations in regard to the most important form of wealth, viz., land. The first is that, nowhere in *Śukranīti*, do we come

across the suggestion or the slightest hint that land or "real property" as it is termed, is held *in common* by the people. We may infer, therefore, that "village community" as a system of land tenure does not exist in Śukra's economic consciousness. He is presumably an advocate of individualistic proprietorship. It may be observed *en passant* that, curiously enough, Śukra has no place for the "village community" as an organ of administration in his political philosophy either.

The second consideration to which our attention is easily drawn in the regulations relating to real estate is that it is not necessarily all *ager publicus*, i.e., state land or "public" property. *Śukranīti* deals with land as much as the possession of private persons as of the crown. The ownership of all lands does not belong to the state. The acquisition of *sva-svatva* in the *pārthiva* forms of values is nothing unusual to the people in Śukra's politics.

This item needs a careful investigation. It must be admitted that, according to Śukra, "not an *angula* (say, an inch) of land is to be given away in such a manner as to part with rights to it" (I, 421). Gifts of land are allowable to persons only for their maintenance, but for so long as they live. And these are recommended for the construction of temples, parks, and the dwelling-houses of peasants (I, 422-424). It might appear from these suggestions that in *Śukranīti* land is "national," i.e., cannot be owned by any private individual or association. But we have only to examine some of the laws which Śukra would have the state promulgate, in order to feel that he treats "immovable property" on the same footing as other forms of property. Thus, in regard to sales and purchases, we understand (I, 603-608) that real estate has to observe the same conditions as cows, elephants and other animals, as well as metals and jewels. Land is a commodity saleable in the open market freely or with as much restriction as any other wealth. It cannot, consequently, be a monopoly of the Government. The transactions which consummate the sales and purchases of lands are to be recorded in appropriate documents, says Śukra, with details as to measurements, values and witnesses (II, 617-618). These papers are known as *kṛaya-patra*. And it is because proprietorship in the form of landed estates is a recognized item in an individual's inventory of *sva-svatva* or private values that *Śukranīti* admits immovables in the class of pawns or securities that may lawfully be pledged by a party for values received and detailed in the document known as *sādi-patra* (II, 619-620).

SECTION 4.

ARTS AND CRAFTS.

In the *Monthly Review of the Bureau of Labor* (November, 1915), the industries of the United States are classified into 273 groups, under seven grand divisions. These may be taken to be a fairly exhaustive list of the occupations which diversify the economic life of one of the most industrially advanced peoples during the second decade of the twentieth century. The arts and crafts of the "pre-industrial" epochs of civilisation, *i.e.*, of the ages previous to the application of steam-power in manufacture, were of course different from those of the present day, both in organization and technical processes, and were also by far less varied and numerous. In *Śukranīti*, we are presented with two different lists of such industries, and these may be regarded to have been typical of "medieval" culture in Eur-Asia.

Śukra devotes his chapter II to the discussion of the *personnel* of a state. We notice that he is interested not only in the crown-prince and the councillors (23,140-214) as well as minor officers and servants of all grades (236-389), but also in those artists, artisans and craftsmen without whom the state would be deprived of its "physical basis." For, economic self-sufficiency is not to be overlooked by a philosopher who is describing the parts of a complete and efficient *saptāṅga* organisation. The occupations which, according to *Śukranīti*, deserve patronage or encouragement from the political authorities, number slightly above fifty. Evidently, the schedule does not exhaust the industries that need such looking after.

The different orders of industrials or working men are enumerated by Śukra without any attempt at grouping, and we need not try to classify them here. The list includes musicians and minstrels, dancers, ventriloquists, harlequins, jesters, painters, and such other votaries of the fine arts (390-392). Civil engineers of different denominations, *e.g.*, builders of forts, experts in town-planing, park-construction, horticulturists, road-makers, and so forth (393-394) and mechanical engineers, *e.g.*, the artillerymen, manufacturers of big cannons, lighter machines, gun-powder, cannon-balls, arrows, swords, bows, quivers, tools, implements, etc. (395-396), are surely to be found in Śukra's count. Nor could he omit goldsmiths, jewellers, chariot-builders, lapidaries, blacksmiths, those who enamel metals, potters, coppersmiths and carpenters (397-399). Even barbers, laundrymen and those who carry night-soil are not ignored (400). As the list proceeds, we read of message-bearers, tailors, ensign-carriers, war-drummers, sailors, miners, fowlers, repairers

of implements (401-405), weavers, leather-dealers, upholsterers, haberdashers, those who winnow grains, those who fit out tents, those who manufacture fragrant resins and those who are skilled in the dressing of betel-leaves as chewing stuff (407-411). The professional musician also deserves "protection" as well as the prostitute (406). It is not clear, however, how the shopkeeper happens to figure in the enumeration as a unit, unless the "commercial" element is implied. Altogether, we have here a picture of the material interests the development of which is, according to Śukra, one of the minimum functions of the state.

The economic activities of the people in a state may, according to another schedule in *Śukranīti*, be enumerated as sixty-four. This number is that of the *kalās* (or, arts and crafts) which Śukra describes along with the *vidyās* or theoretical "sciences" in chapter IV., section iii.

It must be understood that not all of these sixty-four arts and crafts are "industrial" in character. Nor are the *vidyās* (the theoretical branches of learning) thoroughly non-economic in social estimate. In a schedule of the ways and means of livelihood, *i.e.*, of the economic functions of the people in the *ukra* state, one is, therefore, at liberty to include all the *vidyās* and all the *kalās*. The *vidyās* have been dealt with previously; we shall now proceed to define the *kalās*.

Twenty-three of the *kalās* are alleged to be derived from the *Vedas*. Seven of these may be regarded as "æsthetic" arts in a wide sense. These are dancing, playing on musical instruments, decorating and clothing the human body, playing antics, upholstering, weaving wreaths, and entertaining people in diverse ways (IV, iii, 133-140). As auxiliaries to the science of medicine, we have ten arts, *e.g.*, distillation of wines from flowers, etc., surgical operations, cooking, pharmaceutical gardening, melting and powdering of stones and metals, manufacturing products from sugarcane, pharmacy, analysis and synthesis of metallic substances, manufacture of alloy and preparation of salts (141-150). Evidently, all these chemical and pharmaceutical operations are not only economic in a general way, but are also primarily industrial in character. Five arts, all of military significance, are grouped under the science of archery. These include the methods of taking stands, duelling, shooting, formation of battle-arrays, and arrangement of animal corps (152-163). The *Tantras* give one art,—that on the various seats and postures in which one should meditate on the Divinity (165). These six *kalās*, although certainly arts, are, however, by no means "industries" or handicrafts.

The remaining *kalās* are promiscuously scheduled by Śukra. But each of these, with the exception of a few, which may be characterized as rather "social," is a purely economic category, addressing itself, as it does, to the creation of values for the material well-being of the political organization. These *kalās*, numbering about thirty-five, constitute, like the ten medical arts, crafts or industries in the strictest sense of the term. While enumerating them, it were appropriate to remark on the care with which Śukra sometimes differentiates the "process" into which a particular manufacturing art is sub-divided. His sense of realism is perhaps nowhere more manifest than in the attention he devotes to the multiplication of crafts generated, as it is bound to be, through the division of labor.

Thus we are told that the function of driving horses and elephants is separate from that of teaching them. Accordingly, we have here two different arts or occupations, implying two different classes of people (166). Likewise, does Śukra recognise four separate arts connected with earthen, wooden, stone and metal vessels, in regard to cleansing, polishing, dyeing and rinsing (167-168). Leather industry is mentioned in two processes: (1) the flaying of the skin, and (2) the softening of the hides or tanning (180-181). The textile industry is represented by two arts: (1) The manufacture of threads and ropes, and (2) weaving (174-175). Milking and churning are two arts (182). Architecture comprises the construction of tanks, canals, palaces and squares (169), and, of course, the drawing of pictures also is a *kalā* (168). Among the mechanical and chemical industries, we have the construction of clocks and musical instruments (170), dyeing (171), construction of boats and chariots (173), manufacture of artificial gold and gems (178), enamelling of metals (179), extraction of oil from seeds and flesh (187), manufacture of glass vessels (191) and of pumps, tools and implements (193), construction of saddles for the animal corps and cattle (194), strawplaiting and basket-weaving or cane-work (190), and sewing of covers, shirts and coats (183). Gems and precious metals give rise to several *kalās*. One series relates to their testing (176-177), and another series to the making of ornaments and jewellery (179).

The pumping and withdrawing of water constitute an art (192) as well as the act of putting down the actions of water, air and fire (172).

Plough-driving and tree-climbing are two arts of farm-life (188). Along the cleaning line are mentioned the washing of domestic utensils

and laundry work (185-186). The preparation of betel leaves for chewing purposes is another art in housekeeping (198). Shaving also is important enough to be mentioned as an item (186).

Among the social arts, Śukra mentions nursing of children (195), entertainment of people in diverse ways (189), whipping of offenders (196), and writing the alphabets of different languages. Another *kalā*, which can in no way be described as economic is, swimming (184).

It will be noticed that, with the exception of ploughing, climbing, milking and churning, the four arts of agriculture and dairy-farm, all the economic crafts of Śukranīti are industrial. Śukra does not conceive an "essentially agricultural" or rural state. His is the *saptāṅga* organism of diversified industries or handicrafts.

SECTION 5.

THE HUMAN FACTOR.

Two principles for conditions of social well-being have already become clear in our examination of Śukra's political theory. The first is the importance of property, wealth, utilities and values. Command over the good things of this earth, or *kuveratā*, i.e., the position of Kuvera (god of wealth), is, according to him, hundred times superior to all the merits a man may possess (IV, iii, 4). This is the chief burden of Śukra's social philosophy. The second great message of Śukranīti is the emphasis on the need of a state for economic self-sufficiency. Śukra would have the people grow as heterogenous as possible in functions or occupations. Not only agriculturists and manufacturers, but even shop-keepers are to be maintained by the state if necessary. The king is advised to keep for the use of his people the tools and implements of the metal-workers, after having them carefully examined or standardized. He is also to maintain artists and artisans, according to need, and employ additional working-men in cultivation or menial service (IV, iv, 85-86). The developmental functions of the state are necessarily to be very large in Śukra's conception.

(a) "Barbarians" and Citizenship.

The people in the Śukra-state are, as a consequence, richly diversified. And this diversification we have to observe not only in the matter of occupations, but also in regard to blood or race. Indeed, it follows almost as a corollary to the economic postulates of Śukranīti that there

is to be no discrimination against any race on the question of eligibility as citizen. As a matter of fact, the privileges of citizenship, whatever they are, are conferred by Śukra on what may be described as alien races. And, in so far as he admits all peoples to the rights and duties of the *saptāṅga* state, Śukra's position is entirely different, not only from that of traditional Moslem theory, but also from that of the Greeks and early Romans, as an approach to the modern conception of the state.

While discussing the data of ethnology in Book I, it was pointed out that Śukra mentions altogether seven "alien" races by name. These are Mlechchas, Yavanas, Khasas, Asuras, Rākṣasas, Piśāchas and Kirātas. In regard to these "barbarians," we are not furnished with much detail. But we are told that Kirātas (IV, vii, 28), a race of wild forest-tribes, can be enlisted in the national militia. Similarly, Mlechchhas and Yavanas, the extra-Indian races of all denominations (Hellenic, Hellenistic, Persian, Parthian, Afghan, or Moslem) are not to be debarred from holding commission in the army, simply because of race (II, 276-280). In economic pursuits, in business intercourse and in property laws, the code for the Mlechchhas is the same as that for the indigenous Aryas (IV, v, 585-587). Śukra is, likewise, of the same opinion in regard to the Yavanas (IV, iv, 74-77).

No legal disabilities or disqualifications are mentioned in regard to any of the foreign or backward races. Politically speaking, they are on the same footing as the native-born citizens. The only marks of distinction are extra-constitutional. For instance, the Khasas are recognized by the social trait that they marry the widows of their brothers (IV, v, 98). Likewise are the Yavanas to be differentiated from the Aryas by their special theological system which, although believing in God, is independent of the Vedic tradition (IV, iii, 124-126). Śukra's nationality-principle is thus a purely secular bond. It is a legal concept, binding diverse races, creeds and social polities in one territorial unit.

This constitutional neutrality of *Śukranīti*, in regard to the blood or faith of the citizens, or what is the same thing, the legal toleration of social diversities, has an important bearing on the question of the age of the Śukra philosophy. A theorist who is prepared to admit Mlechchhas and Yavanas to full citizenship, even to the extent of command in the military establishment, is evidently not writing for a people that is on terms of enmity with "hated barbarians." As we pointed it out in connection with the item *Yavana-matā* in the history of Hindu sciences, the

tendency to assimilate and nationalize alien folks is the mark of a jurisprudence that is conceived in the *milien* of *sârva-bhaumic* consolidation. It does not indicate a *Realpolitik* of warring nationalities, nor suggest the processes of a *digvijaya* (conquest of the quarters) which has not been consummated, but is only in contemplation.

(b) *Inter-caste Marriage.*

We shall now discuss the other elements in Śukra's demography, *viz.*, the citizens proper, or the children of the soil. At the outset, we have to take note of the twofold classification of the population, namely, that into the Śukra group and into the *Dvijanma* or twice-born group. This latter consists of three social orders (cf. the tripartite division of Plato in the *Republic* III, the Brâhmaṇas, Kṣatriyas, and Vaiśyas (IV, iii, 31). So there is a four-fold stratification of society. But Śukra, with an eye to the actual facts of his times begins by telling a story such as Plato invents in regard to the "divine" origin of his three castes. The four classes of Śukra had been planned or created, it is said, by Brahmā, the highest God, "in ancient times" (IV, iii, 21). The implication is that the social system of "four orders" is a myth, and that those who are used to having faith in philosophical fictions are at liberty to accept the poetry, for instance, of the pseudo-organismic *Puruṣa-Sūkta* (in the *Rig-Veda*) for the institutional data of some archaic period of community life. Śukra himself, however, is a realist and is a student of objective economics and of concrete marriage customs. In his ethnography, therefore, the first assumption is that the castes are infinite, and naturally so, because of intermixtures, both *anuloma* and *pratiloma* (IV, iii, 22-23).

And he has to say nothing for or against this phenomenon. He takes it for granted that in his state the males of the so-called higher castes are likely to marry females of the so-called lower castes (*anuloma*). It is not disputed by him either that the males of the lower castes may marry females of the higher castes (*pratiloma*). At any rate, such has been the "history" of marriages in Śukra's theory. And in regard to these blood-intermixtures, he would be guided by the principle that the social standing of the father establishes the "caste" of the issue. People should practise the *dharma* or duties of Brâhmaṇas, says he, if born of women married to Brâhmaṇas, of Kṣatriyas, if born of women married to Kṣatriyas, and of Vaiśyas, if born of women married to Vaiśyas (IV, iv, 69-70). It is strange, however, that Śukra should contradict himself in the next statement, *viz.*, that people born of Vaiśya women by

Brāhmaṇas and Kṣatriyas should be treated as Śūdras, exactly like those born of Śūdra women (IV, iv, 71). But, whatever be the social position of the issue, the possibility of marriages even between "lower" males and "higher" females is admitted (72).

Inter-caste marriages, then, are valid in Śukra's laws, and an infinitude of castes the demographic basis of his state. When, therefore, he speaks of the *sva-dharma* (or duties proper to itself), to which each and every caste should be made by the state to conform (IV, iii, 15, iv, 6, 82-83), almost in the manner in which Plato establishes the theory of "virtues" as the correlates of social status (*Republic*, II, III, IV), we are not by any means to understand that Śūkra is discussing the duties of his citizens in terms of the conventional four-fold group. Whether the social orders be taken to be three, like the Platonic "guardians," "auxiliaries" and "producers" (husbandmen and craftsmen), or four, as by a sort of legal fiction of poetic analogy it is not inconceivable that they might be so enumerated, or whether they be scheduled in figures of hundreds or thousands, Śukra's conception of *sva-dharma* is quite comprehensible as a system of social ethics. For it is none other than the ideal of "my station and its duties," such as is being advocated in the Anglo-Hegelian thought of to-day.

(c) *The Civic Status of the Śūdra.*

What, now, are the "functions," duties or virtues (*Sva-dharma*) of the different orders which Śukra conceives to be appropriate to the station or position of each? Let us begin with the alleged lowest member in the functional hierarchy. Such an individual is the *Śūdrâdhâma* (lit. The worst of the Śūdras), who is born of the wedlock between a lower male and a higher female (IV, iv, 72-73). His *dharma* does not virtually differ from that of the ordinary Śūdras. And what is this? It will be clear if we try to understand it negatively, *i.e.*, by noting the disabilities of his class. First, then, he is not a *dvi-janma* (twice-born) person. An individual is said to be re-born or born twice, who has some kind of religious ceremony instituted for him after his birth. It is this cultural item to which a Śūdra has no right. Secondly, the Śūdra is not entitled to perform religious ceremonies with the *mantras* or chants of the Vedas. To be more definite, he is deprived of the right of pronouncing the words, *svadhâ*, *svâhâ*, *vaśat*, etc. These are exclamations reserved for or monopolized by the twice-born classes to be used while offering an oblation to the manes. In the place of these magic formulæ, the Śūdra is authorized to pronounce the word *namas* in making adorations. Although

deprived of the right to use Vedic texts, he is, in short, to be content solely with the hymns given in the *Purāṇas*, which are held to be less authoritative as religious scriptures. And, thirdly, if we are to make any distinction between the ordinary *Sūdra* and the *Śūdrādhama*, we can do so by citing the passage in *Śūkranīti*, for whatever it may mean, *viz.*, that the latter is to perform his duties "according to *nāma manātra*" (*i.e.*, only by repeating the name of god) in a manner "inferior to that of the *Sūdra*" (IV, iv, 73). Next, we are to understand that the *Sūdra* is on a par with the two next higher castes, *viz.*, the *Vaiśya* and the *Kṣatriya*, in being deprived of the right to practise *yoga* (the meditation of Plotinus and the neo-Platonists) and thus become a *yatī* or *sanyāsin* for the attainment of salvation towards the end of his life (IV, iv, 1-3). But, equally with the *Brāhmaṇa*, the *Kṣatriya* and the *Vaiśya*, the *Sūdra* is privileged to be a *brahmāchārīn*, *i.e.*, a student at the beginning of his life, then a *grihastha*, *i.e.*, a householder after marriage, and in old age to practise *vānaprastha*, *i.e.*, retire from the world into forest. The *Brāhmaṇa* alone of all the social orders has the right to the chronologically fourth *āśrama* or stage of life, *viz.*, *Yatī*. And, lastly, the *Sūdra* is not allowed by *Śūkranīti* to adopt the profession of begging. In this item, again, he is not inferior to the *Vaiśya* and the *Kṣatriya*; for begging is the "vested interest" of the *Brāhmaṇa* (IV, iii, 40).

We have exhausted the list of disabilities to which the *Sūdra* is born according to *Śūkra*, obversely also the *corpus* of privileges and vested interests enjoyed by the other classes in the state. All that a radical politician or social democrat might do in order to subvert the principles of *Śūkra*'s legislation, would consist in inaugurating four things. First, he would have to allow the *Sūdra* to perform the *samskāra* or ritual after birth which denotes an "initiation" into life. Secondly, he would have to throw open the study of the *Vedas* to the *Sūdra*. Thirdly, he would have to legitimize the practice of *sanyāsa* (towards the close of one's life) by the *Sūdra*, the *Vaiśya* and the *Kṣatriya*. And finally, he would have to admit these three orders to the right of living on alms. A *Sūdra* Emancipation Bill or, for that matter, a statute for the equalization of the castes, could have no other provisions.

As it is, let us gauge the exact amount of disabilities from which the *Sūdra* is to suffer according to *Śūkra*'s theory. From the standpoint of human liberty, it is axiomatic, of course, that any legalized or customary hindrance (no matter to the enjoyment of what little privilege) is objectionable.

Whatever be the "vital" worth of certain rights, as long as these are the marks of a social aristocracy, the class that is denied an access to them can reasonably feel that it is being wronged.

If, however, the status of the Śūdra in the *Śukranīti* were subjected to a pragmatic analysis and tested by the standard of opportunities for the development of personality, it is doubtful if he is in an essentially ignoble rank. The right to beg and the right to practise *sanyāsa* are certainly not very enviable rights. Nor is the right to have an initiation ceremony performed, while a baby, a very tremendous force in life's uplift.

The only serious obstacle, if at all, to the Śūdra's self-realization, seems to be the discrimination against him in regard to the study of the *Vedas*. And yet, when one realizes actually what this implies, one wonders as to how far the Śūdra is doomed to a condition of intellectual blindness. All the sixty-four *kalās* are open to him, as well as all the thirty-two *vidyās*, with the exception of the three *Vedās*. An individual who is admitted to the entire encyclopædia of the theoretical sciences and applied arts, is certainly not incapacitated from the higher pursuits of life, economic, political, or moral, simply because he has no access to the Vedic lore. And what, after all, do the *Vedas* contain which can be rationally appraised as in any sense more worth while than the teachings of all the other branches of learning put together? While, therefore, Śukra's limitations must be acknowledged, in so far as his theory, like the undemocratic philosophy of Plato, fails to rise to the height of absolute justice, consisting, as it might, in the formulation of a universal class-equality, it is not justifiable, on the other hand, to ignore in it the existence of the avenues through which the "lowest" individual can be educated up to the highest civic virtues and responsibilities.

The Śūdra's claims to citizenship are on the same level as those of the other castes. He is not a helot, the slave or "living tool" of Greek theory. He differs, indeed, from the other members of the community not, however, as a legal or civic animal, but only in certain socio-religious rites and ceremonies. And, as in the case of the Mlechchhas, Khasas and other "barbarians," in the case of the Śūdra also there is no constitutional or political discrimination against him as a member of the state. He is an integral part of the *saptāṅga* organization. So far as nationality or citizenship is concerned, Śukra's theory of the diversity of *dharma* according to the difference in station, is thus quite of a piece with his conception of the multiplicity of races and creeds in a state. We are not surprised, therefore, to find that *Śukranīti* places all economic functions

and political offices at the disposal of any individual who is competent enough to handle them.

(d) *The Doctrine of Interchangeable Sva-dharma (Functions).*

In Śukra's state, birth and social (or racial) affiliations are not to influence politics (I, 75-76). His sense of justice makes him an unequivocal champion of the dignity of manhood as embodied in the individual. He would not permit the civil life of the people to be prejudiced or affected in an untoward fashion by their caste considerations. "Work, character, and merit, these three are to be respected," as we read in *Śukranīti* (II, 111-112), "neither caste nor family. Neither by caste nor by family can superiority be asserted." Accordingly, in appointing councillors, *e.g.*, the viceroy, the premier, the finance minister, the chief justice, the war secretary and others (II, 150-155), "one must not take note merely of the caste (or race) or of the family" of the candidate for the office (II, 110). The same indifferentism to caste and "social standing" is adumbrated with equal clearness in the general statement regarding the qualifications of the councillors. "Those who are versed in the arts of politics," says Śukra, "those who possess intelligence and are known to be men of good deeds, habits and inclinations, those who are impartial to friends and foes alike, those who are God-fearing and devoted to truth, those who are not slothful and prone to anger, lust and cupidity, those who are gentle in speech and have the experience of age, are to be made members of the council, irrespective of caste" (II, 333-336 ; IV, v, 33-34). The tests recommended are exclusively those of personal competency or fitness.

In these general propositions Śukra is, however, over-stating himself, for his indifferentism to caste does not seem to be comprehensive enough to include the Śūdra. All that he really means to say is perhaps that the councillor may be appointed from the Brāhmaṇa, Kṣatriya or Vaiśya indifferently, just as the magistrates of Plato's republic are to be selected from the "superior-class" exclusively. And we are to understand that the "Śūdra is never to be appointed to the highest functions in the state, even if he be qualified" (II, 859-861 ; IV, v, 27-28). Allowing, then, that Śukra's sense of justice is not more liberal in politics than in social regulations, it must be observed that, so far as the other three castes are considered, they do not represent three watertight functional compartments, but that the duties, responsibilities and virtues (*i.e.*, *svadharma*) of the one can be observed and practised by the others. Con-

stitutionally speaking, their standing is the same. The Vaiśya, for instance, is not barred from discharging the functions that the Brāhmaṇa or the Kṣatriya has a right to perform. This interchangeability of political office, in spite of the difference in birth and "station," is a conception which the socialologist should not overlook in *Śukranīti*.

The categorical negative against the Śūdra needs further examination. We may believe that Śukra himself is to be identified with the person responsible for the liberal sentiments in regard to all castes which we find in the general statement of qualifications for councillorship. The anti-Śūdra injunction has then to be ascribed possibly to the traditional thought on the subject which has been inadvertently recorded in the treatise. The inconsistency is too glaring to be explained, except as an instance of plurality in authorship. And this is brought home to us by the consideration that Śukra's liberalism is quite manifest in regard to another aspect of national life, *viz.*, in regard to the war-office.

In the first place, we are to understand that a commission in the army may be conferred indifferently on the Brāhmaṇa and the Kṣatriya, although preference is given to the latter. War office is not to be the preserve of the Kṣatriya (II, 865). In regard to the Vaiśya and the Śūdra, one ruling is that they are not to be made commanders (II, 866). But in the very next passage it is declared that the "commander is to be selected from any caste," since the only qualification to be looked for in the candidate is valor. And, along with it, Śukra states the general law that "fighting is the duty of the four pure as well as of the mixed castes" (II, 868). It is clear, therefore, that *Śukranīti* does not seek to create fighting profession as the special calling, exclusive sphere, monopoly or preserve of a particular class, group or caste of the community. This ruling is all-inclusive. The Śūdra is not to be discriminated against, nor, as we have seen, is the barbarian. While discussing the qualifications appropriate to each office-bearer of the government, Śukra has, of course, some attention to devote to the question of national defence. And he is of the opinion that those who are well up in political science, in the use of arms and ammunitions and in the manipulation of battle-arrays, those who know how to organize and establish discipline, those who are not too young but of middle age, and those who are brave, self-controlled, able-bodied, always mindful of their duties and devoted to their chiefs, and those who are filled with the hatred of the enemy, should be made commanders and soldiers, no

matter whether they be Śūdras or Kṣatriyas, Vaiśyas, or descendants of Mlechchas (II, 276-280).

Thus, as in council work, in warfare also Śukra is an advocate of the interchangeability of functions between all the castes. The state of *Śukranīti* is peopled by men who, whatever be their birth connections, are to be qualified to discharge the duties of a member of the executive council, or of a soldier and military officer.

We thus see that, in addition to the functions of begging, teaching and conducting sacrifice (IV, iii, 32), the Brāhmaṇa can be a general, and, of course, a councillor too. He is also competent to be appointed the chief executive of the village government (II, 862). Nay, agriculture and farming are quite decent occupations for him (IV, iii, 37). Similarly, in addition to the functions of cultivation, cattle-raising and commerce (IV, iii, 34), the Vaiśya can be a councillor or an army officer. And on the staff of the village establishment, the Vaiśya is recommended to be the collector of duties (II, 864). Altogether, then, we have to conclude that in *Śukranīti*, *svadharma* or "one's own duties" are thoroughly transferable in a most convenient manner and that, occupationally or functionally speaking, the castes display a remarkable elasticity.

If in politics, in warfare, and in economic avocations, the castes or social orders are so dynamic and so easily adaptable to new conditions, what on earth are these demographic groupings meant to serve? Śukra replies that it is only "in marriages and dinner parties that considerations of family and caste are compulsory" (II, 113). And this observation is perfectly in keeping with his position in regard to the legal and civic status of the barbarians (Mlechchas). Śukra's nationalism is, as we have stated above, a totally secular concept which can reconcile thousand and one diversities in social and racial *mores* with the unity of one lawfully constituted *samāha*, a legal person, the *saptāṅga*.

SECTION 6.

THE ORGANIZATION OF INDUSTRY AND COMMERCE.

In the state conceived by Śukra, we cannot then invariably guess the occupation or profession of an individual by knowing the caste or birth group to which he belongs. For instance, as we have just noticed, among cultivators, peasants or agriculturists, one is likely to find not only Śūdras and Vaiśyas, but also Kṣatriyas and Brāhmaṇas (IV, iii, 36-

39). *Śukranīti* is not by any means as rigid as Plato's *Republic*, in regard to the economic distinction between the "producer" class and the "superior" order. While trying to understand the organization of Śukra's society in its material phases, we must not obtrude the notions conventionally associated with the stereotyped *sva-dharma* of the different castes. The sociologist must here be prepared for the phenomenon that the economic grouping of the functions is no index to the blood-orders or birth-relationships. These remarks are to apply as much to the "eight means" of livelihood (III, 554) as to the schedule of industrials who deserve encouragement by the state (II, 390-411) and to the sixty-four *kalās* (IV, iii).

We shall now discuss the organization of economic interests as suggested in *Śukranīti*. No special remarks are necessary in regard to the individualistic character of Śukra's material polity. The personal and proprietary basis of agriculture, manufacture and trade is the fundamental feature in his ideal of economic functioning. He is not a "communist" as regards the distribution of wealth. But, although the pursuit of happiness is left to the initiative and responsibility of each citizen in his own way, the Śukra state is conceived to be the theatre of collective endeavors and organized efforts in diverse fields. In *Śukranīti*, the citizens are exhibited as pursuing their individual worldly ambitions by clubbing their intellects and combining their brawn and bullion. Such capitalistic cooperation is manifest in farming, handicrafts, banking and commerce. All the economic functions of the society, in short, are known to be organized into soviets or unions, although, of course, the possibility of peasants, artisans, money-lenders and traders carrying on their profession independently, *i.e.*, outside of the occupational groups, is not gainsaid. These sovietic or conciliar combinations fall into two main groups. The first belong to what may be described as joint-stock companies or associations. The second class of unions may be called the guilds. It is to be understood that, juridically speaking, joint-stock activity, whether in agriculture, manufacture or commerce, is not identical with the enterprise of guild-unions.

(a) *Production by Companies.*

To take the joint enterprises first, Śukra is quite aware of their importance and prevalence in economic life. His state, therefore, is to take legal cognizance of joint-stock institutions. Accordingly, among all sorts of public records, we find in *Śukranīti* the mention of business deeds. These are called *sāmayika patra* (II, 627-628), and are to be

drawn up when individuals combine their capital for some business transaction. This joint effort may be resorted to not only by merchants, as may be presumed, but also by peasants (IV, v, 618). As regards merchants, joint commerce is specified in three classes of commodities. There may be companies of dealers in gold, or of traders in grains, or of merchants in liquids (IV, v, 614-615). Company transaction is also mentioned in a fourth enterprise. This consists in perpetrating robbery in another (a neighbouring) state, with the sanction of one's own rulers (IV, v, 610-611). In addition to agriculture and trade, the joint effort is to be noticed also in the arts and crafts of Śukra's territory. We are of the unions of goldsmiths who combine to make a work of art (IV, v, 603-604) and of architects who build palaces or temples. The irrigation engineers may likewise be organized into soviets, so also the carpenters and upholsterers (IV, v, 606-607). Professional musicians have their own unions too. Concert parties are evidently quite familiar association in the Śurka state (IV, v, 608-609). In all these combinations of capital, labor or talent, the general principle of *Śukranīti* is declared to be that "whatever is stipulated beforehand, must have to be accepted as binding" and that the "expensēs, the labor and the profits" must have to be arranged according to the terms of the *samaya* (compact) which brought the company into being (IV, v, 616-617). Śukra's ideas in regard to the remuneration of partners will be discussed in the section devoted to the problem of labor.

(b) *Gilds and Functional Sva-rāja.*

But the production of wealth, in so far as it is brought about by combined, collective or corporate effort, need not necessarily involve the merging of capital, labor, or the material resources, in unitary associations of the nature of joint-stock companies. The producers, no matter whether they are operating their profession as isolated individuals or as companies registered under the law of *sāmāyika patra*, may still form themselves into unions, soviets, corporations, communities or associations, for sundry purposes relating to the common interests of the calling to which each belongs. Such associations are the gilds of peasants, working-men, and merchants, known as *śrenīs* (i.e., classes) in *Śukranīti*. To state, therefore, that Śukra mentions a *śrenī*, say, of musicians or money-lenders, does not imply that all the musicians or all the money-lenders of a particular locality are to be understood as forming members of one joint company of money-lenders. It is implied simply that the *śrenī* or gild frames certain rules and regulations of the profession which all

its members, whether individuals or groups, consider to be binding upon themselves in their business capacity. The *śrenī* of *Śukranīti* can thus be easily identified with the gild of medieval European polity. It must not, however, be confounded with the gild advocated by the present-day theorists of "gild socialism," according to whom, as in Cole's *Self-government in Industry and Labour in the Commonwealth*, the gilds are to be organizations exclusively of working-men entrusted with the function of directing production undisturbed by "employers" or "capitalists."

In the Śukra state, the gilds are expected to be rather large in number. The legislator has therefore to take into consideration the cases that are likely to arise out of the disputes of these "group-persons" (IV, v, 517). *Śukranīti* offers, accordingly, suggestions as to how the legal adjudication of corporational affairs is to be transacted. We are told that witnesses, documents as well as possession are the three classes of evidence to be utilized by the court of justice (520). In regard to witnesses, however, it is mentioned in a special clause that no evidence should be treated as valid which comes from a person who bears prejudice against the *śrenīs* or *vargas* (382). Śukra's solicitation for the "interest groups," the "*groupes professionnels*" of Durkheim, is thus quite clear.

Śukra is not content, however, with merely assuring a position of legal security to these economic or occupational group-persons. His conception of the functional organization of society leads him to advocate for the *śrenīs* a substantial share in the political administration of his state. In *Śukranīti*, the state resolves itself by this process virtually into an association of *imperia in imperio*, i.e., a union of lesser corporations almost in the manner in which Gierke and Figgis would desire the modern state to do. Like Althresius, Śukra may then be regarded as an exponent of the decentralized state, embodying the principle of functional *sva-rāja* (self-rule) which, as is well known, was a fact of medieval Eurasian polity and has obtained forceful advocacy over again in recent times, in the theories of Gumplowicz, Ratzeuhofer, Durkheim and Duguit [But see section 10 (e)]. It has to be remarked, however, that, although the theory of an all-powerful and centralized political machinery is thus avoided, Śukra does not contemplate the total negation of the state as desired by the "Syndicalists" of today.

The *imperium in imperio* exercised by the *śrenīs* is primarily twofold: (1) legislative and (2) judicial. In regard to the legislative autonomy, we are told that the customs or laws of "corporations" are among the numerous other usages of the land which the state must have to

observe (IV, v, 89-91). We are to understand that such law-making is practised by cultivators, artisans, artists, money-lenders, dancers, ascetics, and even robbers (IV, v, 35-36), all of whom are *known to have gilds of their own*. Secondly, in regard to adjudication, Śukra is of opinion that the disputes of gilds are to be set right by themselves (*Ibid*). It is said, however, that their competency as judicial tribunals does not extend to the cases of robbery (57-58). The position of the gild courts in the hierarchical organization of justice is designed in Śukranīti in the following terms: "The *śrenīs* will try the cases not tried by the *kulas* (families), the *gaṇas* will try the cases left by the *śrenīs*, and the officers will try the cases not decided by the *gaṇas*" (59-60). In Śukra's conception, the state is thus the final arbiter of justice, and the *svarāja* or autonomy of the communal courts, *viz.*, the three successively higher bodies, the *kula*, the *śrenī* and the *gaṇa*, is not absolute or unconditioned.

Of these three entities, the lowest in the rung, the *kula*, seems to represent kinship by blood. The intermediate, the *śrenī*, is the community of persons who, although belonging to different families or tribes, are united by a common occupation or profession. And the highest, the *gaṇa*, is presumably the *pūga* of other theorists, which embodies the local or territorial principle. In other words, the *gaṇa*-court is the court of the town or the village, the *municipium*, which is an association of people who live within the same geographical boundaries, but belong to diverse *tribes* and follow varied economic pursuits.

SECTION 7.

THE PROBLEM OF LABOR.

The social economics of Śukranīti tends thus to endow the agricultural soviets, industrial groups, and commercial companies with the function of the political organism. While in Śukra's state the economic institution, such as gilds, virtually become miniature states in themselves, with an administrative *svarāja* of greater or less degree, we find, on the other hand, indications in his theory which point to the functioning of the state itself in an economic capacity. This economic functioning of the *saptāṅga* is, however, to be more indirect than direct. We are not

* For recent tendencies in the theory of the relations between economic functions and political sovereignty, *vide* Gide and Rist's *History of Economic Doctrines* (London, 1915), pp. 480-482, 592-606; C. E. Gehlke's *Emile Durkheim's Contributions to Sociological Theory* (New York, 1915), 163-178; E. Barker's *Political Thought in England from Spencer to the Present Day* (New York, 1915), pp. 175-182; A. F. Bentley's *Process of Government* (Chicago, 1908), pp. 208-222, 263-264; H. I. Laski's *Authority in the Modern State* (New York, 1917); and *Studies in the Problem of Sovereignty* (1918).

sure if the state is actually to undertake cultivation, industries or trade as proprietor or capitalist. But that it is to encourage, "protect," and by all means promote the creation of utilities in diverse ways follows, as we have seen, from the schedule of artisans and craftsmen whom Śukra recommends as deserving public employment (II, 390-411). State "intervention" in the material pursuits of the people, is an unquestioned maxim of the economic teachings of *Śukranīti*. A position which may, indeed, be regarded, notwithstanding the "theories" of *laissez-faire* philosophers, as an almost universal attitude of practical statemanship the world over from the earliest times. In the current shibboleths of to-day, Śukra will have to be described as an exponent of German "state socialism," or, what is the same thing, as Gide and Rist suggest in their *History of Economic Doctrines*, of the "soldarism" of French social engineering.

Nowhere is the soldarism of *Śukranīti* more in evidence than in the manner in which it handles the labor question. Śukra attacks the very root of the social and political unrest in his analysis of the problem of wages. As a practical philosopher, interested in the well-being of the *saptāṅga*, his attention is therefore directed to the investigation of the conditions that are calculated to reconcile the employed to the employer classes. And this social mutuality, cooperation, solidarity or interdependence of the wage-earner and the employer Śukra finds to have its foundations in justice, such, however, as only the humanitarian economist can conceive.

It is doubtful if the idea of the proportion between population and capital is to be detected in *Śukranīti*, even in a rudimentary form. In other words, scientifically speaking, Śukra does not seem to have caught a glimpse of the once popular "wages fund" theory first stated by Malthus, according to which wages or the remuneration of labor is absolutely conditioned by the demand for and supply of labor. But the "labor-view" of history is interpreted by Śukra quite emphatically. According to him, one of the most fundamental causes of revolution is "low wages." And that remuneration is said to be low wages by which only one person can be maintained (II, 802). Such persons are bound to be "enemies by nature" (807). This is a phase of "economic determinism" for which Śukra may be cited even by the partisans of Sorel and other neo-Marxian advocates of "direct action." Laboring classes are forced by "low wages" to be aiders and abettors of the enemy. They are disposed to intriguing with anybody who is likely

to offer chances or hopes of economic uplift. "Direct action" will also lead the ill-paid working-men to seek opportunities in legal insecurity and political turmoil. They will loot the government treasury and rob the privileged classes of their wealth (808).

What, then, is to be done in order to avoid or mitigate this class struggle? Śukra suggests a "minimum wage." A contemporary radical will probably retort that, even with this shift, mankind will inevitably be driven down to what Belloc calls the "Servile State." But Śukra's economics is not deep or penetrating enough for that phase of the poverty problem. It is remarkable that he should be thoughtful enough to define minimum wage as consisting in that amount of remuneration by which the worker may maintain those who are his compulsory charges" (805-806). It is in this idea of the compulsory charges that we are to seek Śukra's conception of the rights of man as an economic animal, and, as a corollary, his theory of social justice.

This certainly is a large order. The compulsory charges of an earning man, according to *Śukranīti*, are the wife, the step-mother, the mother, the daughter, the father, the widowed daughter, the childless sister, the aunt, the brother's wife, the father's or mother's sister, the grandfather, the childless teacher, the father-in-law, the uncle, the grandson who is parentless, the brother, and the sister's son. "Even under adverse circumstances" we are told that these members should be maintained (III, 243-248). And in times of prosperity, one should maintain the families of both parents, friends, wife's family, and of course, the attendants, servants and maid-servants (III, 249-250). Nay, one should maintain also the deformed, the stranger, the poor and the helpless (251). One wonders if Śukra is projecting the family budget for an Utopia! There is a limit to the size of a joint family, even under the conditions of "pre-industrial" civilization. We need not, at any rate, take this enumeration at its face-value, but may still believe that the "minimum family" to be maintained by Śukra's "minimum wage," is by all means larger than the "hypothetical" family of four or five recognized by modern theorists, who construct working-men's budgets under the inspiration of Le Play and Engel.

The generally high standard of living recommended in *Śukranīti* is to be guessed from another statement in the chapter on the *mores*, common to the ruling classes and the people. That house shines, says Śukra, "which has many members, lamps, cows, and young ones" (III, 481-482). The economic burdens of the master of an ideal household

are thus heavy. Śukra's standard of life does not imply only food, clothing and shelter. Among the various conditions without which a "person is either one who has attained salvation or a rogue or a beast in the form of a man," there is mentioned the delight in learning, in gods, in fine arts, in music, and in literature (III, 493-496). These, then, are the cultural items in the "consumption" schedule of a family. In the same connection, the following observation of Śukra acquires an important significance: "One should ever be prepared to undertake travels, attend royal courts, study the *śāstras*, watch prostitutes and make friends with the learned (III, 260-261). The educational influence of each item is discussed in succession (264-276). It is interesting to note from what angle *Śukranīti* finds a place for the profession of the prostitute among the subjects of study. "The prostitute takes other people's money, but does not become their slave; rather, on the contrary, she is clever enough to overpower them." Exactly in the same manner, advises Śukra, one should avoid falling under any person's authority, but try by all means to have the world at one's command" (272-274). The moral is typical of Śukra's philosophy of creative energism. It is clear that the wage which is not enough to pay for intellectual and social entertainments leaves an individual a brute, and hence is unjust.

Altogether, then, the personality of the working-man or the development of his character as a "moral being" is the prime consideration in Śukra's discussion of the wages question. It remains to be observed that the economics of *Śukranīti* takes hardly any cognizance of "nominal" wages, i.e., wages in terms of money. All that we read in it about "minimum wage" has reference to the necessities, comforts or luxuries of life, i.e., to "real wage."

Leaving aside now the question of justice in the distribution of wealth, we have to notice that Śukra institutes a theoretical classification of the "revenues" of labor on a two-fold basis;—first, in regard to the "unit" of employment, secondly, in regard to the "amount" of payment.

The first classification, again, is three-fold. Remuneration can be paid according to time or work, or both. In each instance, the payment is to be made as per contract (II, 791-792). "Every year, month or day, I shall pay you at such and such a rate." This is time-wages. "This weight is to be carried by you to that place, and I shall pay you so much for your work." This is "piece-wages." "This much work has been done by you in this period of time. I shall therefore pay you so much."

BOOK II.—POLITICAL.

10.

Remuneration, thus calculated, is according to both time and work (II, 793-798).

Wages are, likewise, of three grades, according to the amount received. Grade I is known to be "good wages," as food and clothing can be "adequately" supplied by it. Grade II is that remuneration which is just enough to furnish the indispensable food and clothing. Probably this may be identified with what is likely to come to the laborer's "share" in the "distribution" of wealth, according to the Recardian "iron law" of wages. Grade III is the low wages, Śukra's voice against which we have just discussed (800-802). Evidently, by "minimum wage," *Śukranīti* would mean Grade I. It is curious that in regard to *Śūdras*, Grade II is recommended (809), although Śukra states the general principle that the rates of wage should be fixed according to the qualifications of the working-men" (803-804). The liberalism of *Śukranīti* in regard to the "first postulates" has been noticed several times side by side with the specific injunctions against the *Śūdras*—a fundamental inconsistency which must not be overlooked.

There are some definite rules about the employment of domestic servants. An insight into the social conditions of labor in Śukra's state may be gained thereby. There are three grades of servants, according as they are quick, ordinary or inactive. Their remuneration must vary accordingly (813-814). Not what it needs, but what it contributes, is to be the criterion of the payment of labor. Leave of absence for recreation and holidays is clearly scheduled (815-818). A fortnight's absolute rest, with full pay, is guaranteed per annum (825). Sickness is provided for by several conditions. Even a slight portion should not be deducted from the wages of a servant who has been ill for half a fortnight (822). If he has worked for at least one year, he must not be dismissed during sickness, but should be relieved by a substitute (823). If the diseased servant happens to have been highly qualified, he is to receive half the regular wages during sickness (824).

Śukra has certain rules of old age pension similar in spirit to those of sickness insurance. A man who has served for forty years, is entitled to pension at half the rate of the salary (826-827). This pension is to be life-long. But if he dies leaving a minor son, the same pension is to be enjoyed by the latter or by the wife and "well-behaved" daughters (828-829). In case the servant is killed in the discharge of his duties, his salary is to be enjoyed by the son as long as he is a minor (832). A reward of one-eighth of the salary is

recommended to each domestic every year (830). Some sort of a "provident fund" is also suggested. One-sixth or one-fourth of the servant's wage may be deposited with the master, who is to return half of that amount, or the whole, in two or three years (834-835).

Although Sukra is so definite about the proportions, he has not cared to furnish us with a scheduled tariff of wages that is to prevail in the state. We cannot guess to what extent he is prepared to leave the remuneration of labor to the competition of the open market. The trend of his economic thought is, however, towards setting a standard. In any event, his silence prevents us from trying to figure out provided we had a price statistics, as to how many days' wages on the part of agricultural labor or of carpenters, smiths and masons, is equivalent to the price of, say, a month's or week's requirements in wheat or rice (for an individual, or a conventional family of five). In Rome, it is interesting to remark, *en passant*, as modern calculations based on Cicero's figures tell, that five days' labor would have been needed in exchange for a bushel of wheat.

The earnings of the members of a trade-union are referred to by Sukra in a very general way. The master craftsman in a company of architects, for instance, is to have twice the wages of the ordinary mason (IV, v, 606-607). The same principle of distribution is to be observed in a musical *troupe* (608-609). The jeweller's and smith's rates are a little more definite. For first class work, the goldsmith's remuneration is to be one-thirtieth of the value worked upon, one-sixtieth if the work be mediocre, and half of that if inferior still (653-654). For first class work, the silversmith is entitled to half the value, one-fourth if mediocre, and one-eighth if inferior (656-657). One-fourth the value is the rate of the workman's wages in copper and zinc. But in the case of iron, the scale varies from half the value to eight times (658-659).

SECTION 8.

PRICES AND PROFITS.

The question of a minimum wage is only one aspect of problem of equity in economic life. The interests of the proletariat demand, from the humane standpoint, an intervention of the state in two other items bearing on the adjustment of "value." These are prices and profits, which, together with wages, constitute the essential elements in the mechanism of society, based as it is on the institution of private

property. Any economist who approaches the questions of distribution and exchange, *i.e.*, the transfer of utilities and services, from the angle of justice, is bound to set limits within which the normal or natural forces of competition may be allowed to operate without prejudice to the well-being of the weaker members of the community. The counterpart of a minimum wage accordingly is a maximum price and a maximum profit. These ideas of maxima and minima in the rates are none other than what the sense of "fairness" dictates in the interest of a social solidarity. Both as regards the prices of commodities and the profits of business (including interest on loan-capital) we find that the conception of an equitable or fair rate is well represented in *Sukranīti*.

(a) *Maximum Price.*

By describing fair wage in terms of commodities and "compulsory charges," Śukra has in a sense avoided the problem of discussing the "purchasing power of wages," which all those who speak of nominal or money wages are bound to do. It is regrettable, therefore, on its own merits, that we do not get from him an idea as to the cost of living or a tariff of prices in regard to the articles of consumption which the agricultural laborer's or the artisan's family daily needs. An invaluable schedule, for the purposes of an "index number" would have been like the one furnished in Diocletian's edict of A. C. 301, which specifies the highest prices for wheat, salt, butter, meat, boots, linen, etc.

As it is, *Sukranīti* furnishes figures for the prices of metals, gems, and animals, all of which have been discussed in Vol. I. The unit of currency is supplied by the ratio that one gold *suvarna* coin is equivalent to sixteen silver *karṣaka* coins (IV, ii, 138-139). The following price-statistics is to be interpreted on this basis :

| | | |
|----------|--|------------------------------------|
| Gold | = 16 Silver, as bullion | |
| Silver | = 80 Copper | = 6 iron |
| Copper | = $1\frac{1}{2}$ Zinc | |
| Zinc | = 2 tin | = 3 lead (IV, ii, 181-184) |
| Diamond | = 400 gold (IV, ii, 134-135 ; <i>vide</i> , Vol. I. p. 116). | |
| Pearls | (Note the calculation in Vol. I, p. 119). | |
| Cow | = 1 <i>pala</i> silver | = 8 <i>tolas</i> or modern rupees. |
| She-goat | = $\frac{1}{2}$ cow | = 4 rupees. |
| Ewe | = $\frac{1}{2}$ goat | = 2 rupees. |
| Sheep | = 1 <i>pala</i> silver | = 8 rupees, |

Elephant or horse = 2000, 3000, or 4000 rupees.

Camel = buffalo = 56 or 64 rupees.

For superior equality—

Cow = 8 or 10 *palas* silver = 64 or 80 Rupees.

She-goat = 1 *pala* silver = 8 Rupees.

Ewe = 1 „ = „

She-buffalo = cow or $1\frac{1}{2}$ cow = 64, 80, 96, 130 Rupees.

Bull = 60 *palas* silver = 480 Rupees.

Best horse = 500 gold = 8,000 Rupees.

Best camel = 100 silver *palas* = 800 Rupees.

Elephant = 2,000 gold *niṣkas* = 6,666 Rupees.

(IV, ii. 186-204)

Evidently, figures like these are of no help in estimating the probable cost of living at a certain place and time, or comparing it with that at others. Only the attempt at fixing certain rates is noticeable.

The same attempt is to be observed in regard to the rate of profit. The fair or equitable, nay, the maximum' rate is declared to be that ranging between $\frac{1}{3}$ rd and $\frac{1}{16}$ th, or $3\frac{1}{8}$ and $6\frac{1}{4}$ per cent. The items to be considered by the merchant in fixing his rate are expenditure and the conditions of the place (IV, v, 628-629). The first refers to the actual cost of production, and the second refers most probably to the cost of transportation, marketing, etc, including also the excise duty on sale (IV, ii, 212-216). It appears, therefore, that the price is to approximate these "expenses" of production plus the $3\frac{1}{8}$ or $6\frac{1}{4}$ per cent profit. Śukra's maximum or equitable price will thus be almost equivalent to the "normal" price of modern economic theory.

The distinction between this normal price (which tends to equal the "supply price," i.e., the expenses which are necessary to produce the goods and make them available for the market) and the actual market price which is a variation from the normal, is well realized in *Śukranṭi*. The cost of production does not therefore loom extraordinarily large in Śukra's theory of value. The demand side of the question has also been analyzed. One element, of course, is the ease or the difficulty with which the commodity may be acquired. But the no less important factor is the utility of the goods to the purchaser, i.e., whether it possesses or does not possess "attributes," uses or properties, implying its power of satisfying wants (II, 718-719). The *mālya* or the price paid for acquiring a commodity (717) is thus understood to be in essence a question

of the "balancing of final utilities," to use contemporary terminology.

This utility theory of value, as determined by the demand-schedule of a commodity to the purchaser, finds expression in three naïve statements of *Śukranīti*. First, it is stated that there is no price for worthless things, such, for instance, as cannot be used for any purposes (IV, ii, 209). Secondly, there is a high price, a low price, and a middling price in the valuation of all goods (IV, ii, 210-211). The appraisal depends, of course, on the "marginal utility" at the moment to the consumer. And, thirdly, in the case of the rare or ultra-fine goods, the sole determinant of value is *kāma*, desire or fancy (IV, ii, 164). The fancy-price of an article is really a monopoly price and, as such, is absolutely independent of its supply-price, *i.e.*, the cost of production, which may even be nil.

(b) *Investment of Capital.*

To return to profit or the earnings of capital. Śukra, as an exponent of private property, cannot by any mean think of putting a stop to the legal transfers which it is likely to undergo through freedom of contract, although he is solicitous for the interests of the submerged classes, who are sure to suffer from open competition. He is prepared, however, to legislate against profiteering; but, on the other hand, he would also suggest a reasonable return for the investment of capital. Indeed, juridically speaking, the services of capital to the community are placed in *Śukranīti* on a footing of equality with those of labor. The earnings of the man who invests capital in a transaction are, according to Śukra, as legitimate and lawful and morally justified as those of the individual who has only manual or intellectual labor to contribute to the creation of social values. Usury, money-lending, or interest, therefore, is not condemned by Śukra. But, as a solidarist, he would interfere in the credit transactions as much to protect the borrower as to protect the lender. Loan-capital, as a species of *dhana* (wealth), is an important item in the national wealth of the Śukra state. It is the subject of much attention in the field of private law.

In studying Śukra's laws of debt, we come across a significant feature of the loan transactions among the people. Much of the money that is lent out is invested productively in some business or other. And the borrowers are really employers of labor or *entrepreneurs* who seek temporary credit for circulating capital in the process of the expansion of their undertaking. While drawing up a *rina-patra* (II, 623-624) or

document indicating the loan and the rate of interest, the creditor is advised, among other things, to satisfy himself that the "debtor is capable of transacting business even on loans with interest" (III. 384-385). The loan must, in fact, be a prudential consideration, and not a mere sentimental helping out of a personal friend in private distress. It is to be the banking transaction of a capitalistic society in which surplus capital is seeking good investment.

To a prospective business man, capital may be advanced even without interest. It is suggested that the business organizer and the capitalist go into the undertaking as partners. The terms are that the organizer should divide all profits with the capitalist in equal proportions (IV, v, 630). As regards the amount of interest, Śukra is aware that creditors are prone to fleece the debtor by the "compound rate" unless the state comes to the rescue (633-634). The state is to legislate, therefore, that the debtor is not to pay to the creditor any amount *as interest* "after he has paid altogether double the principal." Subsequent to this, his due is to be only the principal and nothing more than that (631-632). Another law of equity states that if the creditor has obtained from the debtor four times the principal, he is to receive no more (V, 192-193).

Śukra's laws of contract are not one-sided. If he is anxious to protect the debtor, he is no less solicitous to see that justice be done to the creditors also. The state must interfere, whenever somebody does not return the money to the creditor, even when he is in a position to do so (IV, v, 635-636). Of course, a regular law-suit has to be instituted by the aggrieved party. And, in case the document indicating the loan is lost, the evidence of witnesses will be enough to substantiate the charge (637-638).

(c) *Safeguarding the Consumer.*

Not only in the recovery of debt is Śukranīti so mindful of the interests of the citizens. The entire community as consumers is to be protected by the state from all sorts of fraud, breach of contract, and so forth. Food adulteration, counterfeit coinage, unscientific medicines and drugs, false weights and measures, and the passing of base metals and stones as genuine for high class stuff, are acknowledged to be some of the common practices. In order, therefore, to safeguard the market against such evils as are likely to affect the exchange relations, Śukra advises the legislator to enact that anybody who practises deceit and dishonesty in regard to the standard of weights and measurements,

currency, extracts, metals, clarified butter, honey, milk, fats, oil, and ground substances, will be punished (I, 590-592, 623-624).

In pursuance of the same objects, Śukra enumerates some of the trades and professions which for public safety, social equilibrium and future interests of the parties concerned need to be endorsed by the state. Trade in cattle, elephants, horses, etc., in men, in immovable property, in metals and gems, in spirituous liquors, and in poisons, belongs to this category. All transactions relating to their sale and purchase must be registered, or rather have their validity testified to by a government license, charter or patent. To the same class of licensable occupations belongs the drawing up of deeds pertaining to a sale, gift or loan (I, 603-608). In all these instances, the cognizance of the state is expected to be a guarantee against illicit practice.

SECTION 9.

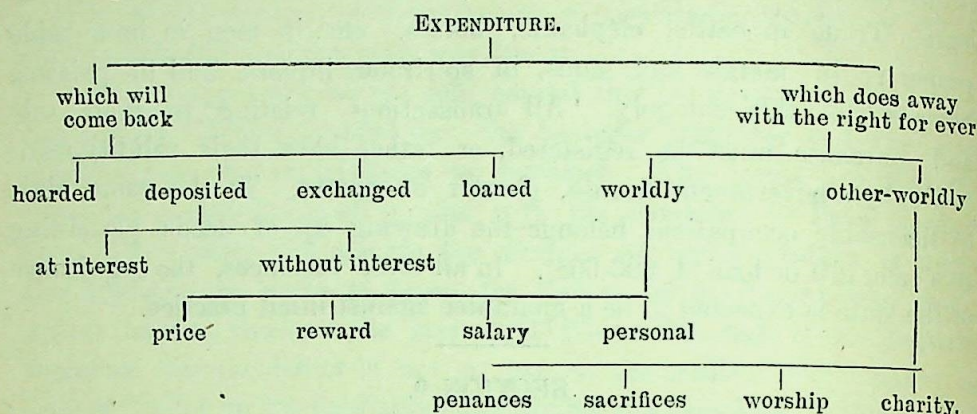
THE CONSUMPTION OF WEALTH.

While investigating the economic categories of *Śukranīti*, one must not overlook the consideration that these are but subsidiary to its main theme, which consists in the discussion of the *Saptāṅga* organism. The treatment of wealth by Śukra is, therefore, primarily political. We see the discussion tinged with legal, rather than economic ideas. It is not so much of *dhana* or wealth, e.g., cattle, grains, clothes and grass (II, 714) that we read as of *svatva* or property, i.e., of wealth in its relations to the state as the enforcer of laws. The same legal bias is to be noticed in Śukra's analysis of consumption. Whatever be the form in which the consumption of wealth manifests itself, whether it be "distributed" as wages, rent, profit and interests, or whether it be regarded in its "exchange" aspects as value and price, in the eye of the law, all this "use" of utilities is nothing but "transfer of property." It is therefore chiefly as the transference of the "right" to the utilities that Śukra deals with the phenomena in question.

To Śukra, the political theorist, the fundamental categories in regard to wealth are "income" and "expenditure," and not production and consumption. And if income implies a command over the utilities (II, 645-646), expenditure denotes the giving away of this command to others (647). The right to one's utilities may be given away, or what is the same thing in the language of economics, wealth may be consumed in two ways, says Śukra. It may have a direct objective, viz., in beign

used for one's own immediate needs. Or, it may involve an exchange, and thus be the medium of a fresh series of production (1649). This is the simplest analysis of expenditure.

A more detailed classification of expenses is furnished in the following table :



Not all expenditure implies the parting with rights for ever. There is a class of consumption called, *âbṛitta* (circulating), the nature of which consists in returning or coming back. For instance, a person may temporarily be said to consume his wealth when he hides it underground as *nidhi*, or deposits it with somebody for safe-keep as *upanidhi*. Likewise is consumption said to have an attribute of coming back when something is received in exchange for some price (i.e., *vinimayîkṛita*). And, of course, a loan is *âbṛitta* consumption by all means, no matter whether it be for some interest as *rîna*, or without any such consideration as *yâchita*, (676-681).

In all these four, or rather five forms of expenditure, the proprietary right is still in tact. This right can be given away in altogether eight modes of consumption, according to Śukra. They are grouped under two main heads. One is *aihika* or worldly, and the other is *pārālaukika* or other-worldly (682-684). The expenses incurred for penances, sacrifices, worship and charity, are said to constitute the four species of other-worldly consumption. And, of the worldly disbursements, the first mode is called *pratidâna*, i.e., a payment of price, for value received. This is really identical with the *vinimayîkṛita*, item in the *âbṛitta* count; for a consumption under this head does not do away with the proprietary right, in the sense in which pure gifts of the *pārālaukika* group do. The second item is *pāritoṣika*, which is paid as reward for service, valor, etc; and the third item is *vetana*, which consists in salary or wages

(686-688). But both these items are forms of *vinimayikṛita* consumption (*i.e.*, exchange), and hence should logically belong, like the *pratidāna*, to the *ābritta* division of expenditure. The fourth and the last item is called *upabhogya*. It is that form of consumption which consists in incurring expenditure on grains, clothing, building, gardens, cattle, chariots, acquisition of learning, possession of territory and on protection by government, *i.e.*, taxation (689-691). But, strictly speaking, all these expenses are only prices and taxes, *i.e.*, payments in exchange for values received or services enjoyed. These should not therefore be regarded in the same light as those forms of consumption which are said to do away with the proprietary right.

Altogether, we have to point out the fallacy in Śukra's classification as being due to an inadequate analysis of the phenomenon of exchange. His conception of "circulating" or *ābritta* consumption is a real contribution to the study. But, instead of being carried away by an over-simple dichotomy in regard to the worldly and the other-worldly, he should have treated all the four worldly modes of consumption as a sub-division of *vinimayikṛita* in the *ābritta* group. He could then have formulated the correct principle, *viz.*, that, with the possible exception of "pure gifts," all consumption or expenditure is really *ābritta*, circulating, reproductive. In other words, every transfer of property implies a creation of utilities.

SECTION 10.

STATE HOUSE-KEEPING.

(a) *The Financial Gradation of Powers.*

The *Śukranīti* states are conceived as belonging to different grades according to the amount of public revenues. The financial basis of Śukra's classification of the "powers," points once more to the importance that he attaches to the economic foundations of the state. The unit of currency, as usual, is the silver *karṣa* ($=80 \text{ ratīs} = \frac{5}{8}$ of a *tola*, *e.g.*, of the modern rupee). The lowest rung in the hierarchy is represented by the state whose income ranges from 100,000 to 300,000 *karṣas*. The ruler of such a state is known as *sāmanta* (I. 365-367).

The following schedule gives Śukra's idea of the powers, first class, second class, and so forth, in terms of the "sinews of war."

| Designation of the state. | Annual Revenues in <i>karṣa</i> . |
|---------------------------|-----------------------------------|
| 1. Sāmanta | 100,000 to 300,000. |
| 2. Māṇḍalika. | 300,000 „ 1,000,000. |
| 3. Râjan | 1,000,000 „ 2,000,000. |
| 4. Mahârâja | 2,000,000 „ 5,000,000. |
| 5. Svarâj | 5,000,000 „ 10,000,000. |
| 6. Samrâj | 10,000,000 „ 100,000,000. |
| 7. Virâj | 100,000,000 „ 500,000,000. |
| 8. Sârvabhauma | 500,000,000 and beyond. |
| | (I, 368-374). |

This last designation is further described as being the title of a ruler "to whom the earth with its seven islands is ever bound." The *sârva-bhauma* is thus the *hwangti* of Chinese tradition and *dominus omnium* of medieval European political theory.

(b) *The Budget.*

The financial administration of each state, no matter what be its rank in the estimation of the world, is, in Śukra's arrangement, given over to two departments. The one is presided over by the *sumantra* (finance minister), and the other by the *amâtya* (the minister of revenues or realizations) (II, 150-155, 168-173).

The function of the *sumantra* is to prepare the budget. The balance-sheet indications, the assets and liabilities, are framed by him. All information in regard to the amount of commodities laid by, the amount of debts, the total expenditure and the surplus in both movables and immovables is furnished by his office (II, 204-206). The *amâtya*, on the other hand, is responsible exclusively for the realization of revenues. He is in charge of the incomes, receipts, and collections. He is to know each source of income and the amount realized under each head (207-214).

Nine sources of revenue are enumerated by way of illustration. These are (1) *bhâga* (rent, or tax from land), (2) *śûlka* (duties on commerce), (3) *danda* (fines realized by the state through its penal authority), (4) *akṛiṣṭapâchya* (i.e., what is received without cultivation or effort, e.g., nature's contribution), (5) *aranya* (forest produce), (6) *âkara* (mineral wealth), (7) *nidhi* (deposited with the state as banker by citizens), (8) *asvâmika* (unowned property, which escheats to the state), (9) *taskarârṛhita* (gotten back from thieves). The sources of income, as suggested by Śukra, will be discussed separately in a subsequent section. Here we are concerned only with the functions of the *collector-general's* office.

It may be pointed out that in its land revenue division, this bureau of public income is expected to know how many cities, villages and forests are

there, the amount of land cultivated, and the area of cultivable or other land not under tillage. The state, of course, is interested principally in the revenue, but it must have on record the names of the persons who receive the rent (*i.e.*, the middlemen, the revenue "farmers" as well as of the actual cultivators, the proprietors or tenants who enjoy the remainder after paying off the rent. The *amâtya's* bureau is necessarily the office for all statistical inquires and cadastral survey investigations.

(c) *Items of Disbursements.*

The analysis of "public" consumption by Śukra might to a considerable extent be described as typical of the conditions of medieval European states. Under the feudal system, as Adam Smith explains it, warfare was not an expensive job, the administration of justice instead of being a charge upon the government's resources was a source of revenue, and three days' service before the harvest and three days' service after it on the part of the people, was enough to maintain bridges, highways and other public works. But it would be misunderstanding the scope of the Śukra state, if we were to regard it as in any way identical with the minimum-functioned states of theory or history. The functions of the state, as Śukra conceives it, are manifold (I, 145, 146, 149). His is a *kulturstaat* which, in addition to its numerous social and economic functions, is to "encourage with stipends and honorariums all those persons who are high in the arts and sciences" and also take "such steps as may advance the arts and sciences" (I, 740, 741; II, 246-250). For certain purposes, therefore, the developmental functions which Leroy-Beaulieu in his *Traite de la science des finances* considers to be a chief factor in the increase of public expenditure in modern times, are also to be recognized in the housekeeping of the Śukra state as responsible for the large revenues it demands of the *amâtya*.

We need not, however, depend on a conjecture as to the amount of appropriations which Śukranîti treats as necessary for the state's wants. Śukra himself furnishes us with two consumption-schedules.

The first schedule gives us certain proportions of the different items of disbursement, with reference to the total revenues. The unit is taken to be the *Sâmanta* state, with its 100,000 *karṣa* income per year. The six main divisions are given below:—

- | | |
|---|----------------------------------|
| 1. Grâmapa or village officer (<i>i.e.</i> , rural establishment ... | $\frac{1}{12}$ th of the income. |
| 2. Army | $\frac{3}{12}$ ths " |
| 3. Charity | $\frac{1}{24}$ th " |

| | | | |
|--------------------------------|-----|-----|----------------------------------|
| 4. Entertainment of the people | ... | ... | $\frac{1}{24}$ th of the income. |
| 5. Officers | ... | ... | $\frac{1}{24}$ " |
| 6. Civil List | ... | ... | $\frac{1}{24}$ " |

These six items make only $\frac{12}{24}$ or $\frac{1}{2}$ of the income. The balance is to be deposited in the treasury for future contingencies. Half the revenues are thus recommended to be hoarded (I, 631-636).

It is to be observed that items 3 and 4 refer to the development of the people's welfare in diverse ways. Together they constitute $\frac{1}{12}$ th of the income, i.e., are equivalent to the charges of local government. Speaking from another angle, the developmental functions are to absorb as much of the public revenues as the civil list and the bureaucracy combined. The enormous military expenses cannot escape anybody's notice. The war-office is to consume one-fourth of the total receipts, which is actually half of the scheduled appropriations. In other words, expenses on the army alone are equal to all the other five items of state expenditure put together.

The proportions suggested here are, however, different from the figures given by Śukra in another connection. There he gives details as to the military and civil establishment of the 100,000 *karṣa* state. We are told that it should have 100 men in reserve, 300 infantry with guns, 80 cavalry, 3 chariots, 2 canons, 10 camels, 2 elephants, 16 bulls, 6 clerks and 3 councillors (IV, vii, 47-52). The expenses of a state thus constituted are to be as follows :—

| Items. | Expenses per month, in <i>karṣa</i> . | Expenses per year, in <i>karṣa</i> . |
|--|---|--|
| 1. Personal wants, enjoyments, charities, etc. | 1,500 | 18,000 |
| 2. 6 clerks | 100 | 1,200 |
| 3. 3 councillors | 300 | 3,600 |
| 4. Wife and children | 300 | 3,600 |
| 5. Men of letters, etc. | 200 | 2,400 |
| 6. Horse and foot | 4,000 | 48,000 |
| 7. Elephants, Camels, Bulls and Fire-arms | 400 | 4,800 |
| 8. Savings | 1,500 | 18,000 |

(IV, vii, 53-58)

According to this schedule, a little under $\frac{1}{6}$ th of the income is recommended for public hoarding and about $\frac{1}{2}$ is the appropriation for "preparedness;" while the cultural and educational activities account for only $\frac{1}{24}$ th of the disbursements.

(d) *Principles of Public Expenditure.*

From the two schedules, we can easily deduce Śukra's principles of public expenditure. These have, moreover, been explicitly stated by himself. The fundamental items of the state consumption are three-fold: (1) the army, (2) the *rāṣṭra*, i.e., the land and the people, and (3) sacrifices (IV, ii, 3-6). It is declared, although with considerable hyperbole, that if *koṣa* (treasure) be devoted to a fourth object, e.g., to self-enjoyment, wife and children, the result can only be hell in the life after death (7-8). The implication, of course, is that the civil list should be as small as possible. Here also, as in the schedules, we must observe that the promotion of the people's cultural and other interests is definitely provided for in the second and third items.

The most important item, here as elsewhere, is the army. In the first schedule, the cost of preparation for war is 25 per cent. of the total revenues, and, in the second, it is recommended to be as high as 50 per cent.; and naturally so. It is unnecessary to delve into the figures of the *Statesman's Year Book* for any year previous to the Great War (1914-1918) or since, to examine as to how far Śukra's proportions approximate to the military and naval budgets of the war lords of contemporary Europe, America and Japan. For, this mediaeval Hindu financier is quite modern in concluding, like the American militarist, Stockton, in his *Peace Insurance*, that military preparedness is not only a bulwark against foreign aggression, but also the best "insurance" against defeat. And a nation that is insured against defeat, is really insured against war. The burden of preparedness is therefore not a burden at all in the long run. Nay, it is conducive to national growth and prosperity. The army is "the root" of treasure, says Śukra. It is because of the army that the *koṣa* and the *rāṣṭra* prosper. It is also the army that leads to the annihilation of the enemy (IV, ii, 28-29). Expenditure on the army is, therefore, "productive" in every sense (IV, vii, 8-16).

"Daily preparation for war" being, again, a postulate of *Śukranīti* (I, 641, 652), we can realize the importance attached to state hoarding as one of its maxims of public expenditure. We have noticed that Śukra, in one instance, recommends 50 per cent. of the revenues to be deposited in the treasury as regular surplus, and in another instance he recommends about $\frac{1}{16}$ th or 16 $\frac{1}{4}$ per cent. for the same purpose. As a general principle, he throws out the suggestion, again, that the reserve should always be large enough to "maintain the army and the people for twenty years

without fines, land revenues and duties" (IV, ii, 25-27). Students of Prussian finance are aware that this theory of *nīti* "philosophy," in regard to a war-chest was a dominant idea with Frederick the Great and all his successors down to the last of the Hohenzollerns. Nay, although condemned by English and French economists of to-day, Śukra's principle of hoarding was universally practised in classical and medieval Europe until so late as Henry VIII of England and Henry IV of France. And, so far as pure theory is concerned, Śukra is in good company not only with the German finance-scientists of the present generation, but also with Bodin (1530-1596), who, in the chapter on finance in his *Les six livres de la république* (VI, ii), recommended a "reserve" of *fonds aux finances* especially in the form of munitions, arms and other implements of war. A system of finance is not necessarily primitive or distinctively "oriental" simply because it provides for a reserve-fund "against the rainy day."

In regard to this hoarding, Śukra advises the statesmen to lay by not only grains of approved qualities (IV, ii, 50-59), but also medicinal herbs, minerals, timber, fodder, arms, weapons, gunpowder, vessels and clothing (60-63). It has been pointed out also in another connection that the tools and implements for the use of artists and craftsmen should be preserved by the state (IV, iv, 85-87).

(e) *The Revenues.*

In examining the sources of government income enumerated in *Śukranīti*, it would not be proper to have before us the standard of scientific classification attempted by Rau, Leroy-Beaulieu, Bastable, or Plehn. Nor are we to expect in it the logical analysis of public revenues by Adam Smith (1776), which, in its two-fold division as income from government property, whether in stocks, *i.e.*, capital or in land, and as income from the compulsory charges on the people's revenues, continues to serve as the theoretical basis of contemporary British finance, classified as it is into the economic or quasi-private, *i.e.*, non-tax revenues and those derived from taxation.

A fairer *point d'appui* for comparison would be that furnished by the French political philosopher of the sixteenth century, Jean Bodin. The *nerfs de la république* are, according to him, derived from seven sources. These are (1) landed domain, which is considered to be *le plus honnête* and *le plus sûr*, (2) conquests from enemies, (3) gifts from friends, (4) *pensions*, tributes from subject peoples, (5) public traffic, *i.e.*, government commerce, (6) customs duties, and (7) taxes, which, however, are

to be levied only under conditions of *nécessité urgente*. It will be noticed that items 2, 3, and 4, although casual sources of income even to a modern state, do not figure at all in any scheme of civilized finance at the present day. Nor can public traffic be regarded as having been an important source since the beginning of the nineteenth century, although, as "profits" of trade and "interest" on loan, it certainly figures in Adam Smith's class I; and, as such, may still be counted among the "economic" or non-tax revenues of a modern government. In regard to 1, and 7, modern financial theory, especially in England, France and the United States is the exact opposite of Bodin's position; for the "domain" is virtually *nil* or, in any event at a discount, in the modern world, except in German theory and practice, the most important source of public revenue everywhere being taxation. Bodin's sixth item is, however, valid still; but he himself did not understand that customs duties are ultimately paid by the home consumers, *i.e.*, are "indirect" taxes. We shall see that, although Śukra does not exhibit the logical keenness of the moderns in the matter of classification, his system is more akin to that of the present theorists than to that of the French sociologist who wrote on the eve of the "modern" epoch.

In connection with the *amātya*'s (revenue minister's) office, we noticed that nine sources of Government income are enumerated by Śukra (II, 207-214). Of these sources four, *viz.*, nature's gifts, deposits, unclaimed property, and goods realized from thieves, although they must figure in the balance-sheet of a budget, are by no means to be counted upon as substantial feeders of the public exchequer. Śukranīti furnishes, however, another list where we get not only "subjects" of finance, but also the rates at which those subjects are charged. These revenue-yielding resources may be enumerated as ten.

The first source of public revenues is *śulka* or duty, both customs and excise. It is to be collected at the market places, streets and mines. The rate is normally $\frac{1}{32}$ nd, but it may rise as high as $\frac{1}{16}$ th or even $\frac{1}{8}$ th. It is to be realized only once, either from the buyer or from the seller. If the seller has to part with the commodity at a loss, no duty is to be paid by him. In that event, the buyer has to pay it (IV, ii, 212-219). A *śulka* is an *anfwond-stener*, or tax on consumption, and might appropriately be called an "indirect" tax, were it not for the prevailing trend in the economic thought of to-day which, on considerations of *Ueberwälzung* or shifting, proposes to ignore the old distinction between

"direct" and "indirect" taxation. Śukra's rates, from $3\frac{1}{8}$ to $6\frac{1}{4}$ per cent will be found to be quite moderate compared with those in Kautilya's *Arthasāstra* or the Roman *portoria* and the British duties!

The second item is land revenue. The rates are different for different kinds of soils. From lands irrigated by canals, wells or tanks, the government's demand is $\frac{1}{3}$, from those irrigated by rains it is $\frac{1}{4}$ th and from those by rivers it is $\frac{1}{2}$; while from barren and rocky soils, it is to be as low as $\frac{1}{8}$ th (227-230). The principle is obvious. The highest rate, *viz.*, 50 per cent, is demanded of those lands where cultivation is certain, *e.g.*, under river irrigation. Where rain or "monsoons" is the source of moisture, agriculture is precarious and uncertain. Hence the very low rate of government demand, *viz.*, 25 per cent. But, where the tanks and other artificial water supplies irrigate the soils, cultivation is difficult and expensive, although certain. The rate in this instance is therefore midway between the two, *i.e.*, $33\frac{1}{3}$ per cent.

The land revenue administration in Śukra's state is thoroughly centralized. He suggests two modes of realization. Either the revenues may be "farmed" out to one rich man in the village, who is to advance the entire amount to the government or, to suit his convenience, guarantee the payment in monthly or periodical instalments (248-250). Or, revenue collectors may be appointed by the state who are to be officers of the government for the purpose of realizing the dues from the cultivators. They are to receive salary at the rate of $\frac{1}{6}$ th, $\frac{1}{12}$ th, $\frac{1}{8}$ th or $\frac{1}{4}$ th of the government's revenues in the specified areas (251-252).

The land revenue of the village is "assessed" or determined by the government itself. (248). In the matter of assessment, however, the principle of equity is to be observed. The rates are to be fixed after ascertaining the "amount of produce. These amounts may, generally speaking, be of three grades, great, middling, or small, corresponding, say, to the three kinds of soil discussed above (220-221). And, in order to protect the peasant from "rack-rent," a further economic maxim is laid down for the *sumantra* and *amātya*'s consideration. It consists in the generalization (224-226) that, no matter whether the actual yields of land be great, middling or small only, such cultivation is to be regarded as successful from which the net return is double the expenditure (including the government demand). Śukra seems to direct the attention of the assessment officer and collector to the fact that, whatever be the amounts of produce and whatever the scheduled rates of government

revenue, the peasant must be assured of an earning which is at least twice the expenditure. The principle of an assured profit (236) is apparent also in the ruling in regard to new lands brought under tillage (242-244). It is only by observing such a standard of "successful" agriculture or "minimum profit" that the cultivator can be saved from destruction (222-223).

While noticing these principles of revenue settlement and collection, we must not ignore the consideration, that howsoever solicitious Śukra may be in regard to the welfare of the agricultural classes, he is silent as to whether they are to have any part in the administration of their own interests. It is of "good government" that *Sukranīti* is an apostle here, not of self-government. We do not notice in it any reference to the so-called village-communities or other rival institutions as corporate organs of "public law." Besides, the land tenure that is suggested by Śukra is thoroughly individualistic. Each cultivator is to have for himself the deed of rent or tax, bearing the government seal (247). Neither the *Mir* or "communal" system of land-ownership nor the *soviet*, *sabhā* or *pāñchāyat*, i.e., the folk-assembly of the peasants, is therefore to be detected in Śukra's *nīti* philosophy,—although as facts of *Realpolitik* in Indian economic and constitutional history, both these phenomena are abundantly in evidence. Possibly *Sukranīti* represents those stages in Hindu political evolution during which, as in the *ancien régime* of France under the all-interfering control of *intendants* organized by Richelieu, the democratic units of local *svarāja* (self-rule) were reduced to impotence, if not to nullity, through the "nationalizing" or "consolidating" achievements of *sārva-bhaumas* ("world-rulers"), whose gospel may have been not unlike Louis XIV's *l'état c'est moi*. And this circumstance should furnish a hint as to the probable date and territory which account for certain sections of the treatise. [But see section 6. (b)].

Śukra, evidently, considers the land revenue to be a "direct tax" paid by the peasant proprietors out of their private revenues. For, the cultivators of the Śukra state cannot by any means be described as *rayats*, i.e., tenants holding estates on terms imposed by a landlord. They are themselves the proprietors of their own holdings. In other words, in *Sukranīti*, curiously enough, we do not have indications of *ager publicus*, *domaine*, or crown-land, which should be regarded as state, "public" or national property. This is all the more noteworthy, since the tendency of fiscal thought and practice in the ancient and

mediaeval world was to "nationalize" this "chief agent of production." Not only Bodin appreciates the landed domain as the "most just and certain" source of public revenues, but Adam Smith also regards it as "a fund of more stable and permanent nature than government property in capital." And not only in Greece, Italy and the early European states, but also in the Germanic Kingdoms of the sixteenth, seventeenth and eighteenth centuries, the rulers were, strictly speaking, landowners and landlords. In all these instances, the Government's realizations were tantamount to crown-rent, an economic entity, and could not be described by the political category of a tax. Readers of treatises on *Finanzwissenschaft*, by Cohn and Ran, will be surprised to notice the silence of Śukra, monarchistic as he is, in regard to the state ownership of land, a doctrine which has not lost its force even in contemporary political thinking, e.g., among the German philosophies of hereditary Kingship.

The third source of government income in *Śukranīti* is the "royalty" on mining. Here, again, the author does not explicitly mention that the mines are "public" property. The settlement or valuation officer is first to inquire into the expenses of extraction and production, and then determine the net worth of the yield. The rates are 50 per cent on gold, $33\frac{1}{3}$ per cent on silver, 25 per cent on copper, $6\frac{1}{4}$ per cent on zinc and iron, 50 per cent on gems, glass and lead (233-235). Like the revenue from land, the income from minerals also is a tax, i.e., a levy on the private revenues of the people exacted by the political authority of the state.

The fourth item is grasses, timber, and forest produce generally.

The rates may be $33\frac{1}{3}$ per cent, 20 per cent, $14\frac{2}{3}$ per cent, 10 per cent, or 5 per cent (237-238). The fifth item is animal husbandry or cattle-rearing. The rates are $12\frac{1}{2}$ per cent of the "increase" of goats, sheep, cows, buffaloes and horses, and $6\frac{1}{4}$ per cent of the milk of she-goats, she-buffaloes, and ewes (239-240).

The sixth subject is the working man. Compulsory labor for one day in the fortnight is the tax to be paid by artisans and craftsmen (241). The seventh subject is the money-lender or employer of loan-capital. The rate is the $\frac{1}{32}$ nd, or $3\frac{1}{8}$ per cent, of the "increase," i.e., interest (255). The eighth item is the tax on houses and dwellings (256). The ninth item is the tax on the site for stalls used by shopkeepers (257). Lastly, there is the road-cess to be paid for the preservation and repair of streets (258). It is to be noticed that, although we have used per centages, Śukra mentions only proportions or fractions.

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By these ten heads of income, the state is in a position to tap every resource of the people. No species of property is left untaxed. Land in every form, including forests and mines, houses and stalls for residence or for business, labor, sales and purchases, as well as capital,—no conceivable source of the citizen's income is to get scot-free. To these we should probably have to add an eleventh item, *viz.*, fines inflicted by the courts of justice.

These, then, are the normal sources of income. It should be pointed out that Śukra, although an advocate of state intervention in industry and commerce, does not probably think of any state-conducted enterprise in those fields. At any rate, excepting a slight hint (IV, ii, 37), we do not read of government trade or government loans as sources of economic or quasi-private revenues. Nor even does Śukranīti know anything about state monopolies, *e.g.*, in salt. Altogether, the conclusion is forced upon us that all the revenues that Śukra contemplates for his state are derived by taxation, and that there are no non-tax revenues in the fiscal theory of Śukranīti (but see *infra*), although the division of income into *sāhajika* and *adhika* (II, 659-664) would tend to negative this conclusion.

In addition to the normal sources of income, we have some sort of an emergency collection in Śukra's thought. For war purposes, or for other extraordinary contingencies, we are told, the usual rates may be enhanced all along the line. Even holy places and properties consecrated to the gods, which are untouchable in peace times, may be conscripted under the war budget (17-18). "Special grants" also may be levied from the people (19-20). And the last safety-valve, it is suggested, is the loan from wealthy classes which, however, must be redeemed with interest (21-22). As Śukra has been able to conceive the mobilization of credit and the institution of "national debt" for revenue purposes, one wonders as to why he should lay such store by the "war-chest." Possibly, in order to make assurance doubly sure, state-hoarding is regarded by philosophers who, like German and Japanese statesmen, are obsessed by the notion of self-defence against foreign aggression, as a second string to the bow of sound war-finance.

¹ For some of the historically authentic rates of revenue in the Indian fiscal systems and for comparison with the figures of ancient and mediæval European revenues, see the chapter on "The public Finance of Hindu Empires" (in the author's forthcoming *Political Institutions and Theories of the Hindus*), which is totally distinct in scope and method from the present essay. Of, in this connection the section on revenues in Ibn Khaldoun's *Mokaddimah*, N. P. Aghnider's *Mohammedan Theories of Finance* (N. Y. 1916), Brissaud's *History of French Public Law* (Garner's transl., Boston, 1915), Dowell's *History of Taxation and Taxes in England* (London, 1884), Ramsay and Lencian's *Roman Antiquities* (London, 1898), Schoemann's *Antiquities of Greece* (London, 1880), E. R. A. Seligman's *Shifting and Incidence of Taxation* (New York, 1902).

(b) *Principles of Taxation.*

Bodin's term, *les nerfs de la république*, is an expressive and quite characteristic description of the national finances. But, for certain purposes, although restricted in import, the phrase, "sinews of war," is a more emphatic expression. Śukra's definition of *koṣa* (treasure) as the root of the army (IV, ii, 28) conveys an identical significance. He approaches the problem of finance as a militarist, *i.e.*, from the point of view of the state as a fighting machine.

We have examined the legitimate revenues derived by regular taxation, and have noticed that Śukra is prepared also by law to enhance the rates, float "war-loans" and devise new "subjects" to be taxed for extraordinary circumstances. It is now necessary to add that, in order to replenish an exhausted treasury, Śukra's statesmen are not to shrink from employing questionable methods of public finance. The funds are to be collected by hook or by crook, as we read (IV, ii, 3-4). The ethics of practical financing is therefore ready to announce that the ruler who takes away the wealth of the undeserving is not a sinner (12). Further, in the spirit of Aristotle legitimizing the perpetration of robbery in "barbarian" territories, we have Śukranīti's dictum that "one should take away by craft, or force or robbery the wealth of the ruler who is addicted to immoral ways of life and also from other kingdoms (13-14). But of course, the financier is warned against forsaking the principles of justice, civilization and humanity while dealing with his own race (15-16). In this "double morality," advocated as it is by Śukra as by Aristotle, we should perhaps detect the prototype of modern international duplicity which justifies the spoliation, exploitation and strangling of "backward" races by their "natural" masters, while at the same time it is anxious to promote the growth of democracy, fair play and equity among the "superior" races themselves. We may, then, take it that the "robbing of others' wealth" is no mean virtue in statecraft, in Śukra's theory of public finance (V, 67-68).

This, undoubtedly, is a "non-tax" revenue, and we must therefore have to modify our general proposition enunciated above that Śukranīti does not know of any non-tax revenues [*vide* section 3 (b)]. We should also count a second non-tax revenue in the "tributes" which Śukra expects from conquered enemies. In his estimation, indeed, a state which does not have recourse to any other source, except the wealth of the tribute-paying enemies, is certainly the most enviable (IV, ii, 35-36). This item may be compared to Bodin's conquests from enemies and *pensions* from

subject peoples. Further, we shall not be justified in ignoring a third non-tax revenue contemplated by Śukra. It is quite conceivable to him that a state may adopt the practices of a Vaisya, *e.g.*, cattle-raising, farming, banking, etc., for its revenues. This item, which is the regular "economic or quasi-private" income of a government, and which is identical with Bodins "public traffic" is, however, appraised by Śukra as of a rather derogatory character (37).

Although Śukra can find a place for expropriation of inferior races, tributes or indemnities from vanquished enemies, and commercial transactions, and even for exactions from holy places (38), in a scheme of national finances, he is inclined to regard them as not very dependable ways and means for state house-keeping. The fundamental sources of public income are, as we have seen, the compulsory charges which the *prajā* pay to the *saptāṅga* organism in its character as a sovereign corporation. His principles of taxation, therefore, deserve our scrutiny.

In the first place, Śukra does not consider any class to be privileged. Nobody is exempt from taxation. The ruler "should enjoy fruits everywhere" (259). We have seen that he has provided for levying a contribution on every form of earning, whether from land, from labor or from capital.

In the second place, the elementary principle that the levies are to be realized as soon as they are due, has not been ignored. The land revenues, wages, duties, interest, fines, etc., are to be collected "without delay" (245-246), *i.e.*, as soon as "they become ripe," in the Kautilyan language.

In the third place, likewise, is the principle of certainty too obvious to be overlooked. Śukra's tax-collectors are to go by definite deeds and documents, with tabulated tariffs, in regard to each species of property.

Fourthly, an important principle is enunciated which is of profound significance to the economic interests of the tax-payers. Śukra would see to it that the standard of living and efficiency of the *rāṣṭra* be not jeopardized by any reckless scheme of "fleecing." He is an advocate of the maxim of a minimum profit. No matter whether it is an excise on sale or purchase (218-219), or a tax on cultivation by peasants (236), the settlement officer is to exempt a certain amount of earnings from the government's demand. In regard to agriculture, this amount is determined by the rule that the "profits of the peasant must be double the expenditure" (224-226). In regard to new lands cultivated

(b) *Principles of Taxation.*

Bodin's term, *les nerfs de la république*, is an expressive and quite characteristic description of the national finances. But, for certain purposes, although restricted in import, the phrase, "sinews of war," is a more emphatic expression. Śukra's definition of *koṣa* (treasure) as the root of the army (IV, ii, 28) conveys an identical significance. He approaches the problem of finance as a militarist, *i.e.*, from the point of view of the state as a fighting machine.

We have examined the legitimate revenues derived by regular taxation, and have noticed that Śukra is prepared also by law to enhance the rates, float "war-loans" and devise new "subjects" to be taxed for extraordinary circumstances. It is now necessary to add that, in order to replenish an exhausted treasury, Śukra's statesmen are not to shrink from employing questionable methods of public finance. The funds are to be collected by hook or by crook, as we read (IV, ii, 3-4). The ethics of practical financing is therefore ready to announce that the ruler who takes away the wealth of the undeserving is not a sinner (12). Further, in the spirit of Aristotle legitimizing the perpetration of robbery in "barbarian" territories, we have Śukranīti's dictum that "one should take away by craft, or force or robbery the wealth of the ruler who is addicted to immoral ways of life and also from other kingdoms (13-14). But, of course, the financier is warned against forsaking the principles of justice, civilization and humanity while dealing with his own race (15-16). In this "double morality," advocated as it is by Śukra as by Aristotle, we should perhaps detect the prototype of modern international duplicity which justifies the spoliation, exploitation and strangling of "backward" races by their "natural" masters, while at the same time it is anxious to promote the growth of democracy, fair play and equity among the "superior" races themselves. We may, then, take it that the "robbing of others' wealth" is no mean virtue in statecraft, in Śukra's theory of public finance (V, 67-68).

This, undoubtedly, is a "non-tax" revenue, and we must therefore have to modify our general proposition enunciated above that Śukranīti does not know of any non-tax revenues [*vide* section 3 (b)]. We should also count a second non-tax revenue in the "tributes" which Śukra expects from conquered enemies. In his estimation, indeed, a state which does not have recourse to any other source, except the wealth of the tribute-paying enemies, is certainly the most enviable (IV, ii, 35-36). This item may be compared to Bodin's conquests from enemies and *pensions* from

subject peoples. Further, we shall not be justified in ignoring a third non-tax revenue contemplated by Śukra. It is quite conceivable to him that a state may adopt the practices of a Vaiśya, *e.g.*, cattle-raising, farming, banking, etc., for its revenues. This item, which is the regular "economic or quasi-private" income of a government, and which is identical with Bodin's "public traffic" is, however, appraised by Śukra as of a rather derogatory character (37).

Although Śukra can find a place for expropriation of inferior races, tributes or indemnities from vanquished enemies, and commercial transactions, and even for exactions from holy places (38), in a scheme of national finances, he is inclined to regard them as not very dependable ways and means for state house-keeping. The fundamental sources of public income are, as we have seen, the compulsory charges which the *prajā* pay to the *saptāṅga* organism in its character as a sovereign corporation. His principles of taxation, therefore, deserve our scrutiny.

In the first place, Śukra does not consider any class to be privileged. Nobody is exempt from taxation. The ruler "should enjoy fruits everywhere" (259). We have seen that he has provided for levying a contribution on every form of earning, whether from land, from labor or from capital.

In the second place, the elementary principle that the levies are to be realized as soon as they are due, has not been ignored. The land revenues, wages, duties, interest, fines, etc., are to be collected "without delay" (245-246), *i.e.*, as soon as "they become ripe," in the Kautilyan language.

In the third place, likewise, is the principle of certainty too obvious to be overlooked. Śukra's tax-collectors are to go by definite deeds and documents, with tabulated tariffs, in regard to each species of property.

Fourthly, an important principle is enunciated which is of profound significance to the economic interests of the tax-payers. Śukra would see to it that the standard of living and efficiency of the *rāṣṭra* be not jeopardized by any reckless scheme of "fleecing." He is an advocate of the maxim of a minimum profit. No matter whether it is an excise on sale or purchase (218-219), or a tax on cultivation by peasants (236), the settlement officer is to exempt a certain amount of earnings from the government's demand. In regard to agriculture, this amount is determined by the rule that the "profits of the peasant must be double the expenditure" (224-226). In regard to new lands cultivated

or improvements effected by the excavation of canals, tanks and wells, we are likewise told that the government must not demand anything until twice the expenditure has been realized by the peasant (243-244). The same rate of exemption from a tax is recommended also in the case of industries newly undertaken by the people (242). In these two instances, the principle of "protection" for "young industry" is evidently at work.

The principle of an assured profit is graphically stated by Śukra, with special reference to land-tax, in the following terms. The revenue is to be "realized in the fashion of the weaver of the garland, and not of the charcoal merchant" (223). The coal merchant sets fire to the woods, in order to make charcoal, and thus destroys the property. But the weaver of garlands plucks from the trees only those flowers which are full-blown and preserves the rest as well as the plants for future use. Only when the financier follows such a principle can the tax-payer be saved from ruin.

It should be observed, finally, that Śukra's maxim of the minimum earning is identical with that of the exempted rates of income in the modern theory of "graduated" taxation. Possibly, we should notice a hint of this idea of graduation in the statements in *Śukranīti* that "subjects whose wealth is little should be maintained" (39), but "the rich men whose wealth is excessive are to be denied this consideration" (41).

(g) *Currency and the Medium of Exchange.*

Does Śukra know of any "standard of value?" Or, is he familiar with a "common denominator," by which all values are estimated? In other words, does his polity provide for the mechanism of "money"-economy?

Were we to go by one or two considerations, we might almost have been tempted to conclude that the conception of money is absent in *Śukranīti*. For, when Śukra speaks of the revenues, his rates are quoted in proportions or fractions of the yield (IV, ii, 212-254). We are to presume that contributions are levied in kind and not in money, although, of course, the excise, the house-tax, the site-tax and the road-cess are sure to be raised in money. One of the suggested schedules of public expenditure is, likewise, given in proportions which may be converted into percentages (I, 631-635). The tariff of wages is not, as a rule, described in figures. Where the subject is discussed in terms of necessities, comforts and luxuries of life (II, 791-835), the question of prices has automatically been avoided, and, instead of a money wage, we are presented with the

ideas of "real wage." And where figures are given at all, as in the instance of jewellers (IV, v, 653-659), or of musical troupes (IV, v, 606-609), we have once more the proportions. The same remarks apply to profits of business and interest on loan-capital (IV, v, 628-632). In all these valuations, however, there is nothing in Śukra's thought to argue against the use of money.

Let us next consider the prices. The price of diamond is given in terms of the gold coin (IV, II, 134-136). The prices of pearls are given in terms of diamond (IV, ii, 134-136). Thus, while the idea of currency is quite manifest in the former instance, in the latter one might be led to suspect "barter." Again, emerald is priced in terms of ruby (IV, ii, 157), but topaz, corals, and sapphire, in terms of gold (IV, ii, 159, 161). Further, we have pearls evaluated on the gold standard also (IV, ii, 166-170). But the metals themselves are evaluated in terms of one another (IV, ii, 181-184). Evidently, although a common denominator is recognized, comparative valuation of the mineral terms of themselves indicates *pari passu* the exchange of goods for goods.

This double system is evident also very clearly in the quotation of prices of animals. The price of the cow is given in terms of the silver money (IV, ii, 188). But the prices of the she-goat, the buffalo, and the camel are given in terms of the cow, or of one another (189, 193, 198). The prices of other animals, however, are given in silver coin. The price of the horse of superior qualities is given in terms of the gold coin (199-200).

In regard to other appraisals in *Śukranīti*, we are on thoroughly reliable ground. The financial gradation of states is calculated on the *karṣa* (silver currency) basis (I, 368-374). It is on the same basis that the *grāma* or rural jurisdiction is defined (II, 385-386). The penal code, in describing stolen properties, also employs the language of money (IV, v, 487). And, lastly, the detailed list of disbursements that is suggested for the unit state, is made out in terms of money (IV, VII, 47-58).

On the whole, we cannot conclude that Śukra's ideas of exchange are predominantly governed by the institution of a common and universally used medium. The medium is known and is in circulation, but it is apparently scarce. Under these conditions, money-values, *i.e.*, prices of commodities, are bound to be low. But a scandalous depreciation is presented by the institution of barter, which keeps their genuine worth high in terms of themselves. The barter, however, although a common practice, is modified by the recognition of a definite metallic standard of

value. That is, although each commodity is a standard of appraisal for the others, as in an exclusively barter-economy, the introduction of the gold and silver currency is not without its effect on prices.

With all these provisos we may then assert that the "legal tender" in Śukra's state is both gold and silver. For, or whenever he mentions exchange-value in terms of the currency, he uses figures in gold or silver indifferently—a fact of bimetallism. The gold coin is known as *suvarṇa*, which is sixteen times the value of the silver coin, called *kaṣṭhika* (IV, II, 138-139). It would appear that in Śukra's currency, the face-value of the coins is identical with their weight-value. For, the comparative value of gold and silver as bullion or ingot, is identical (IV, ji, 181). It is implied that the statesmen are not to place any restrictions on the market value of the precious metals affecting the exchange-rates in the currency. It is not, however, easy to conceive how the equation of identity between the "nominal" value and "intrinsic" value of coins can be maintained for any length of time, while the metals are exposed to the law of demand and supply in the open market.

It remains to add that the word for "money" in *Śukranīti* is *drabya* (II, 712-713), which is distinguished from *dhana* or wealth (719).

